

STATE OF IOWA
1935

Journal of the Senate

OF THE

Forty-sixth General Assembly

CONVENED JANUARY 14, 1935

ADJOURNED APRIL 23, 1935

CLYDE L. HERRING, Governor

NELSON G. KRASCHEL, President of the Senate

JOHN H. MITCHELL, Speaker of the House

Published by
THE STATE OF IOWA
Des Moines

FORTY-SIXTH GENERAL ASSEMBLY

OFFICERS OF THE SENATE

NELSON G. KRASCHEL, President.....	Harlan
HAROLD L. IRWIN, President Pro Tempore.....	Dewitt
HEDO M. ZACHERLE, Secretary.....	Des Moines
WALTER M. MEIER, Assistant Secretary.....	Council Bluffs
ROBERT C. PHILLIPS, Reading Clerk.....	Des Moines
SARA J. CONLIN, Engrossing Clerk.....	Cascade
MARGARET MATHIS, Enrolling Clerk.....	Des Moines
DORIS WILSON, Assistant Enrolling Clerk.....	Manson
HELEN BLAKE, Journal Clerk.....	Indianola
WILMA WASSMAN, Assistant Journal Clerk.....	LeMars
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ROBERT JAMISON, Assistant General Clerk.....	Seymour
FRANCES CRAWFORD, Clerk of Enrolled Bills.....	Des Moines
HOWARD O'BRIEN, File Clerk.....	Independence
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MRS. BELLE STREEBY, Postmistress.....	Ottumwa
WILLIAM C. BOYLE, Sergeant-at-Arms.....	Dougherty
NICK COLSCH, Assistant Sergeant-at-Arms.....	Waukon
REDFIELD C. MILLS, Chief Doorkeeper.....	Redfield
EDNA MAE MONTGOMERY, Lieutenant Governor's Clerk.....	Panora
FRANCES ALIBER, Secretary's Clerk.....	Des Moines

ELECTIVE STATE OFFICERS
Official Address, Des Moines, Iowa

NAME	Office	Address
Clyde L. Herring	Governor	Des Moines
Nelson G. Kraschel	Lieutenant Governor	Harlan
Mrs. Alex Miller	Secretary of State	Washington
C. W. Storms	Auditor of State	Fort Madison
Leo J. Wegman	Treasurer of State	Carroll
Ray Murray	Secretary of Agriculture	Buffalo Center
Edward L. O'Connor	Attorney General	Iowa City
M. P. Conway	Railroad Commissioner	Atlantic
Harry B. Dunlap	Railroad Commissioner	Ames
George A. Hoffman	Railroad Commissioner	Des Moines
Agnes Samuelson	Superintendent of Public Instruction	Shenandoah
E. G. Albert	Judge of Supreme Court	Jefferson
John W. Anderson	Judge of Supreme Court	Sioux City
Maurice F. Donegan	Judge of Supreme Court	Davenport
W. H. Hamilton	Judge of Supreme Court	Sigourney
John W. Kintzinger	Judge of Supreme Court	Dubuque
Richard F. Mitchell	Judge of Supreme Court	Ft. Dodge
James M. Parsons	Judge of Supreme Court	Des Moines
Leon W. Powers	Judge of Supreme Court	Denison
Paul W. Richards	Judge of Supreme Court	Red Oak

SENATORS—FORTY-SIXTH GENERAL ASSEMBLY

NAME	Address	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Experience
Anderson, Paul H.	Harcourt	43	Cattle Feeder	Dem.	27	Calhoun, Webster	45-45X
Aschenbrenner, Carl	Pella	66	Physician	Dem.	15	Marion, Monroe	45-45X
Baldwin, Howard C.	Cascade	30	Editor	Dem.	35	Dubuque	45X
Beardsley, William S.	New Virginia	34	Pharmacist, Jeweler	Rep.	11	Clarke, Warren	45-45X
Bell, Andrew	Denison	46	Insurance	Dem.	34	Crawford, Harrison, Monona	
Bell, James M.	Burlington	58	Insurance	Dem.	9	Des Moines	
Berg, John	Cedar Falls	46	Pharmacist	Rep.	38	Black Hawk, Grundy	
Billingsley, John W.	Newton	45	Physician, Surgeon	Rep.	29	Jasper	
Byers, Frank C.	Cedar Rapids	51	Attorney	Rep.	26	Linn	43-44-45-45X
Calhoun, John N.	Keosauqua	31	Attorney, Farmer	Rep.	2	Jefferson, Van Buren	45-45X
Chrystal, I. G.	Coon Rapids	49	Farmer	Dem.	48	Carroll, Greene, Sac	45-45X
Corwin, E. P.	Fruitland	51	Farmer	Rep.	20	Louisa, Muscatine	
Dewey, A. Claire	Washington	48	Farm Operator	Rep.	10	Henry, Washington	
Donohue, E. P.	New Hampton	35	Attorney	Rep.	44	Chickasaw, Floyd	
Doze, J. E.	Humeston	80	Automobile Dealer	Dem.	4	Lucas, Wayne	35-36-45-45X
Driscoll, T. F.	Farmington	38	Farmer	Dem.	1	Lee	
Elthon, Leo	Fertile	36	Farmer	Rep.	41	Mitchell, Winnebago, Worth	45-45X
Fisch, Mike G.	Le Mars	42	Clothier, Salesman	Dem.	46	Cherokee, Ida, Plymouth	45-45X
Geske, M. X.	McGregor	63	Attorney	Dem.	36	Clayton	45-45X
Goetsch, Sam D.	Decorah	55	Real Estate	Dem.	42	Howard, Winneshiek	
Grunewald, H. J.	Van Horne	57	Farmer	Dem.	45	Benton, Tama	
Harrington, Vincent F.	Sioux City	31	Mortgage Banker	Dem.	32	Woodbury	45-45X
Hopkins, George M.	Guthrie Center	68	Farmer	Rep.	17	Audubon, Dallas, Guthrie	42-42X-43-44-45-45X
Hush, Homer	Essex	45	Farmer	Rep.	8	Mills, Montgomery	43-44-45-45X
Husted, Ora E.	Truro	58	Farmer	Rep.	16	Adair, Madison	44-45-45X
Irwin, Harold L.	Dewitt	37	Attorney	Dem.	22	Clinton	44-45-45X
Kimberly, D. W.	Davenport	56	Retired Farmer	Rep.	21	Scott	36-37-38-39-40-40X 41-42-42X-43-44-45-45X
Knudson, Irving H.	Ellsworth	38	Insurance, Real Estate	Rep.	37	Hamilton, Hardin, Wright	41-42-42X-43-44-45-45X
Malone, C. E.	Atlantic	53	Farmer	Dem.	18	Cass, Shelby	44-45-45X
Mason, E. I.	Brooklyn	55	Farmer	Dem.	12	Keokuk, Poweshiek	
McArthur, William	Mason City	48	Farmer	Dem.	43	Cerro Gordo, Franklin, Hancock	45-45X
Meyer, L. H.	Readlyn	58	Retired Farmer	Dem.	39	Bremer, Butler	44-45-45X
Miller, H. D.	Morley	66	Farmer, Stockman	Dem.	24	Cedar, Jones	45-45X
Millhone, Paul L.	Clarinda	42	Attorney	Rep.	7	Fremont, Page	45-45X
Moore, Morris	Walnut	60	Physician, Surgeon	Dem.	19	Pottawattamie	45-45X
Mullaney, T. W.	Waukon	51	Farmer, Auctioneer	Dem.	40	Allamakee, Fayette	45-45X
Nelson, Fred W.	Nevada	48	Farmer	Rep.	31	Boone, Story	43-44-45-45X
Parker, George L.	Independence	55	Pharmacist	Rep.	33	Buchanan, Delaware	

SENATORS—FORTY-SIXTH GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Experience
Patterson, G. W.	Burt	47	Farmer	Rep.	47	Clay, Dickinson, Emmet, Kossuth, Palo Alto	40-40X-41-42-42X-43-44 45-45X
Pendray, Carolyn C.	Maquoketa	53	Homemaker	Dem.	23	Jackson	43-44-45-45X
Reese, Chris.	Marshalltown	53	Editor	Dem.	28	Marshall	45-45X
Ruelofs, Garritt E.	Sioux Center	34	Editor	Rep.	49	Lyon, O'Brien, Osceola, Sioux	45-45X
Schmidt, Paul W.	Iowa City	48	Salesmanager	Dem.	25	Iowa, Johnson	45-45X
Shangle, L. T.	Oskaloosa	71	Attorney, Farmer	Dem.	14	Mahaska	45-45X
Shaw, Albert J.	Pocahontas	58	Attorney	Rep.	50	Buena Vista, Humboldt, Pocahontas	45-45X
Stanley, Claude	Corning	62	Attorney	Rep.	6	Adams, Taylor	45-45X
Stevens, Frank M.	Garden Grove	62	Merchant	Rep.	5	Decatur, Ringgold, Union	45-45X
Stevens, Roy E.	Ottumwa	56	Shoe Mcht., Dairy Farmer	Dem.	13	Wapello	44-45-45X
Valentine, John K.	Centerville	30	Attorney	Dem.	3	Appanoose, Davis	45-45X
Wilson, George A.	Des Moines	50	Attorney	Rep.	30	Polk	42-42X-43-44-45-45X

MEMBERS OF THE HOUSE—FORTY-SIXTH GENERAL ASSEMBLY

NAME	Address	Age	Occupation	Politics	District	County Composing District	Former Legislative Experience
Alesch, Gustave	Marcus	57	Farmer	Dem.	80	Plymouth	45-45X
Avery, A. H.	Spencer	64	Insurance	Rep.	83	Clay	44-45X
Ayres, Charles C., Jr.	Ottumwa	28	Attorney	Dem.	18	Wapello	
Baumhover, A. H.	Carroll	41	Farmer	Dem.	55	Carroll	
Benz, M. E.	Lawler	50	Farmer	Rep.	89	Chickasaw	
Blattspieler, Lewis	Manly	50	Pharmacist	Dem.	94	Worth	
Blue, Robert D.	Eagle Grove	36	Attorney	Rep.	94	Wright	
Bonnstetter, A. H.	West Bend	42	Farmer	Dem.	85	Kossuth	44-45-45X
Bowers, L. C.	Kent	67	Merchant	Rep.	14	Union	45-45X
Burlington, Don W.	Sioux City	26	Attorney	Dem.	58	Woodbury	
Campbell, J. R.	Osceola	43	Insurance	Rep.	15	Clarke	
Clark, Marley, D.	Mt. Vernon	65	Farmer	Dem.	48	Linn	
Copeland, Harry F.	Waukee	57	Farmer	Dem.	36	Dallas	42-42X
Cramer, W. H.	Emerson	64	Insurance, Real Estate	Dem.	11	Mills	
Craven, J. E.	Kellogg	68	Farmer	Dem.	38	Jasper	36-44-45-45X
Cundy, J. E.	Cedar Falls	58	Farmer	Dem.	66	Black Hawk	
Cunningham, John	Humboldt	64	Attorney	Rep.	76	Humboldt	
Cunningham, Paul H.	Des Moines	44	Attorney	Rep.	37	Polk	45-45X
Curtis, Glenn	Cherokee	41	Farmer, Stockman	Dem.	79	Cherokee	
Dancer, David A.	Lamoni	38	Farmer	Rep.	6	Decatur	
Daniels, H. E.	Churdan	64	Retired Farmer	Rep.	54	Greene	
Doran, Ben B.	Grand Junction	50	Farmer	Rep.	53	Boone	45-45X
Dreessen, William J.	Breda	44	Farmer	Dem.	56	Crawford	45-45X
Elliott, E. A.	Des Moines	68	Minister	Rep.	37	Polk	41-42-42X-43-45-45X
Ellsworth, E. O.	Iowa Falls		Real Estate, Farmer	Rep.	64	Hardin	43-44-45-45X
Evans, Dave M.	Cresco	57	Implement Dealer	Rep.	92	Howard	
Falvey, M. C.	Albia	67	Lumber Dealer	Dem.	17	Monroe	45-45X
Felter, Victor	Indianola	57	Farmer	Rep.	27	Warren	44-45-45X
Fishbaugh, Earl C., Jr.	Shenandoah	25	Lawyer	Rep.	9	Page	
Flynn, Joe	Decorah	32	Publicity Man, Newspaper	Dem.	91	Winneshiek	
Foster, La Mar	West Branch	36	Farmer	Dem.	44	Cedar	45-45X
Freeburn, Paul	Davenport	31	Attorney	Dem.	43	Scott	
Frizzell, J. W.	Brooklyn	69	Retired Farmer	Dem.	39	Poweshiek	45-45X
Fuelling, Otto	Farmersburg	45	Lumber Dealer	Dem.	70	Clayton	45-45X
Fuester, C. E. R.	Ida Grove	58	Farmer, Insurance	Dem.	59	Ida	45-45X
Gallagher, J. R.	Williamsburg	72	Journalist	Dem.	40	Iowa	40-40X-44-45-45X
Gaugher, M. J.	Greeley	30	Banker	Dem.	68	Delaware	
Goode, Dewey E.	Bloomfield	36	Produce, Fur Dealer	Rep.	3	Davis	45-45X
Groves, George W.	Webster City	62	Farmer	Dem.	63	Hamilton	
Hansen, J. P.	Otranto	56	Farmer, Implement Dealer	Rep.	93	Mitchell	
Hanson, Edmund	Centerville	45	Farmer	Rep.	4	Appanoose	

MEMBERS OF THE HOUSE—FORTY-SIXTH GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	Politics	District	County Composing District	Former Legislative Experience
Hartman, Henry M.	Burlington	60	Boiler Inspector	Dem.	21	Des Moines	45-45X
Hendrickson, Thomas	Corning	63	Farmer	Rep.	13	Adams	
Henningsen, A. H.	Graettinger	39	Merchant	Rep.	84	Palo Alto	
Hickenlooper, B. B.	Cedar Rapids	38	Attorney	Rep.	48	Linn	
Hultman, O. N.	Stanton	47	Lumber Dealer	Rep.	12	Montgomery	45-45X
Irwin, John R.	Keokuk			Rep.	1	Lee	43
Jenkins, John J.	Columbus Junction	55	Farmer	Rep.	22	Louisa	45-45X
Johannes, W. J.	Ashton	44	Banker	Dem.	98	Osceola	
Johnson, Chas. G.	Marathon	48	Farmer	Dem.	78	Buena Vista	
Johnson, Oscar E.	Kanawha	40	Pharmacist	Dem.	86	Hancock	
Johnson, James F.	Chariton	59	Farmer	Rep.	16	Lucas	36-37-39-40-40X
Knudson, Herman M.	Mason City	47	Florist, Printer	Rep.	87	Cerro Gordo	
Kringlaak, Ole	Lake Mills	45	Farmer	Rep.	95	Winnebago	
Kuester, G. T.	Griswold	46	Farmer	Rep.	30	Cass	
Laughlin, E. P.	Imogene	53	Farmer	Dem.	10	Fremont	42-42X-44-45-45X
Lookingbill, C. E.	Nevada	59	Craftsman, Minister	Rep.	52	Story	45-45X
Love, H. S.	Bridgewater	46	Hardware, Produce	Rep.	29	Adair	
Maniace, E. J.	Estherville	44	Farmer	Dem.	96	Emmet	45-45X
McFarlane, Arch. W.	Waterloo	49	Coal Dealer	Rep.	66	Black Hawk	36-37-38-38X 39-42-42X-43-44-45-45X
McGill, Frank T.	Rock Valley	46	Attorney	Dem.	81	Sioux	45-45X
McKinnon, Curtis L.	New London	45	Farmer	Dem.	20	Henry	45-45X
McLean, Don V.	Marshalltown	54	Farmer	Rep.	51	Marshall	45-45X
McNie, Morris	Hampton	53	Mgr., Grain and Lumber	Rep.	74	Franklin	
Mercer, Leroy S.	Iowa City	45	Manufacturer, Printing	Dem.	41	Johnson	45-45X
Metcalf, B. L.	Nichols	66	Farmer	Dem.	42	Muscatine	45-45X
Mitchell, John H.	Ft. Dodge	35	Attorney	Dem.	62	Webster	45-45X
Moore, Charles D.	Urbana	55	Farmer, Insurance	Dem.	49	Benton	45-45X
Moore, E. A.	Harlan	62	Physician	Dem.	33	Shelby	
Moore, J. C., Jr.	Promise City	37	Farmer	Rep.	5	Wayne	
Moore, Leonard L.	Bedford	43	Teacher, Farmer	Rep.	8	Taylor	
Moore, John W.	Sioux City	54	Manufacturer	Dem.	58	Woodbury	
Moore, R. G.	Dunlap	46	Veterinarian	Dem.	32	Harrison	45-45X
Oehmke, W. F.	Larchwood	62	Produce Dealer	Dem.	99	Lyon	
Ove, Edward, N.	Dike	43	Contractor	Rep.	65	Grundy	
Peaco, Milton	Clinton	35	Machinist	Dem.	45	Clinton	44-45-45X
Peel, Loren I.	Keosauqua	58		Rep.	2	Van Buren	
Putman, Charles F.	Council Bluffs	45	Oil Dealer	Dem.	31	Pottawattamie	
Reilly, Eugene H.	Dubuque	28	Attorney	Dem.	69	Dubuque	

MEMBERS OF THE HOUSE—FORTY-SIXTH GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	Politics	District	County Composing District	Former Legislative Experience
Rice, C. L.	Delta	45	Farmer	Dem.	24	Keokuk	45-45X
Riddle, Matt B.	Ute	57	Farmer	Dem.	57	Monona	
Roan, Phillip F.	Ft. Madison	40	Attorney	Rep.	1	Lee	
Roe, Ove T.	Waukon	47	Farmer	Dem.	90	Allamakee	44-45-45X
Rutherford, Thomas, Jr.	Audubon	65	Farmer	Rep.	34	Audubon	
Ryder, John	Dubuque	58	Real Estate	Dem.	69	Dubuque	41-42-42X-43-44-45-45X
Schlatter, George M.	Bellevue	70	Banker, Seed Dealer	Dem.	46	Jackson	45X
Scott, George L.	Hawkeye	47	Farmer	Rep.	71	Fayette	
Selby, John H.	Odebolt	42	Real Estate, Farm Loans	Dem.	60	Sac	
Shifflett, Grant A.	Diagonal	44	Farmer	Rep.	7	Ringgold	
Smith, C. Colfax	Clarksville	66	Physician	Rep.	73	Butler	
Sorg, H. H.	Tripoli	52	Pharmacist	Dem.	72	Bremer	
Sours, Roy J.	Charles City	51	Farmer, Insurance	Rep.	88	Floyd	44-45-45X
Stewart, E. L.	Washington	49	Farmer	Rep.	23	Washington	
Stewart, Andrew	Rockwell City	62	Farmer	Dem.	61	Calhoun	45-45X
Stimpson, Thomas	Anamosa	41	Farmer	Dem.	47	Jones	45-45X
Taylor, John H.	New Sharon	64	Insurance, Real Estate	Rep.	25	Mahaska	35-36
Teter, L. D.	Knoxville		Attorney	Rep.	26	Marion	30-31-32-32X-45-45X
Thies, William	Avoca	74	Retired Farmer	Dem.	31	Pottawattamie	45-45X
Thiessen, J. H.	Camanche	65	Farmer	Dem.	45	Clinton	44-45-45X
Thompson, G. L.	Lamont	43	Farmer	Dem.	67	Buchanan	
Thompson, Jens	Rolfe	47	Farmer	Rep.	77	Pocahontas	
Thompson, Stanley, M.	Yale	56	Farmer, Cattle Feeder	Rep.	35	Guthrie	
Tretmer, William	Hartley	48	Insurance	Dem.	82	O'Brien	45-45X
Weed, Arthur B.	Winterset	57	Minister	Rep.	28	Madison	45-45X
Wieben, Edward E.	Dysart	52	Attorney	Dem.	50	Tama	45X
Wiese, Louis H.	Davenport	34	Salesman	Dem.	43	Scott	45-45X
Yager, W. A.	Spirit Lake	46	Automobile Dealer	Dem.	97	Dickinson	45-45X
Zeigler, Sanford, Jr.	Fairfield	43	Farmer	Rep.	19	Jefferson	

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 14, 1935.

Pursuant to law the Senate of the Forty-sixth General Assembly convened at 10 o'clock a. m., and was called to order by Lieutenant Governor Nelson G. Kraschel, President of the Senate.

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

Senator Valentine moved that the following be elected as temporary officers of the Senate:

Byron G. Allen of Pocahontas county, temporary secretary.

Catherine Hicklin of Louisa county, temporary journal clerk.

Mary Bales of Van Buren county, temporary assistant journal clerk.

W. C. Boyle of Cerro Gordo county, temporary sergeant-at-arms.

The motion prevailed and the above named temporary officers appeared before the desk of the Lieutenant Governor and took their respective oaths of office.

COMMITTEE ON CREDENTIALS

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

The motion prevailed and the President appointed as such committee, Senators Fisch, Geske, Stanley, Shangle and Calhoun.

The Senate stood at ease until the committee was ready to report.

REPORT OF COMMITTEE ON CREDENTIALS

MR. PRESIDENT: Your committee on credentials finds the following named newly elected Senators, as shown by the election records, and as

certified by the Secretary of State, entitled to seats in the Senate of the Forty-sixth General Assembly:

First District, T. F. Driscoll
Seventh District, Paul L. Millhone
Ninth District, James M. Bell
Tenth District, Claire Dewey
Twelfth District, E. I. Mason
Thirteenth District, Roy E. Stevens
Twentieth District, E. P. Corwin
Twenty-first District, D. W. Kimberly
Twenty-second District, Harold L. Irwin
Twenty-ninth District, John W. Billingsley
Thirtieth District, George A. Wilson
Thirty-third District, George L. Parker
Thirty-fourth District, Andrew Bell
Thirty-fifth District, Howard C. Baldwin
Thirty-seventh District, Irving H. Knudson
Thirty-eighth District, John Berg
Forty-second District, Sam D. Goetsch
Forty-fourth District, E. P. Donohue
Forty-fifth District, H. J. Grunewald
Forty-eighth District, I. G. Chrystal
Fiftieth District, Albert J. Shaw

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

Second District, John N. Calhoun
Third District, John K. Valentine
Fourth District, J. E. Doze
Fifth District, Frank M. Stevens
Sixth District, Claude Stanley
Eighth District, Homer Hush
Eleventh District, Wm. S. Beardsley
Fourteenth District, L. T. Shangle
Fifteenth District, Carl Aschenbrenner
Sixteenth District, Ora E. Husted
Seventeenth District, Geo. M. Hopkins
Nineteenth District, Morris Moore
Twenty-third District, Carolyn C. Pendray
Twenty-fourth District, Henry D. Miller
Twenty-fifth District, Paul W. Schmidt
Twenty-sixth District, Frank C. Byers
Twenty-seventh District, Paul H. Anderson
Twenty-eighth District, Chris Reese
Thirty-first District, Fred W. Nelson
Thirty-second District, Vincent F. Harrington
Thirty-sixth District, M. X. Geske
Thirty-ninth District, L. H. Meyer
Fortieth District, T. W. Mullaney

Forty-first District, Leo Elthon
 Forty-third District, Wm. McArthur
 Forty-sixth District, Mike G. Fisch
 Forty-seventh District, G. W. Patterson
 Forty-ninth District, Garritt E. Roelofs

We also find that C. E. Malone was a candidate for the office of state senator from the Eighteenth District; that he received the highest vote in said District at the General Election held November 6, 1934, according to the official canvass as recorded in the office of the Secretary of State; that a certificate of election was issued to him and notice of contest has since been filed by Frank Pelzer his opponent.

We recommend that C. E. Malone be seated in order that the Eighteenth District shall not be deprived of representation and that C. E. Malone serve as Senator in the Forty-sixth General Assembly, pending decision by this body in the election contest in which his respective right to serve as senator is involved.

MIKE G. FISCH, *Chairman*
 M. X. GESKE
 L. T. SHANGLE
 CLAUDE STANLEY
 JOHN N. CALHOUN

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

Howard C. Baldwin	E. P. Donohue	C. E. Malone
Andrew Bell	T. F. Driscoll	E. I. Mason
James M. Bell	Sam D. Goetsch	Paul L. Millhone
John Berg	H. J. Grunewald	George L. Parker
John W. Billingsley	Harold L. Irwin	Albert J. Shaw
I. G. Chrystal	D. W. Kimberly	Roy E. Stevens
E. P. Corwin	Irving H. Knudson	Geo. A. Wilson
Claire Dewey		

SELECTION OF SEATS

Senator Schmidt moved that the hold-over and re-elected Senators be granted the privilege of retaining the seats occupied by them during the Forty-fifth General Assembly in the extraordinary special session, and that the names of the newly elected Senators be placed in a hat and drawn out, one at a time by the Secretary of the Senate, and as each name is announced each newly elected Senator select his seat from those seats that are unoccupied; and that any hold-over or re-elected Senator that does not wish to retain his seat be allowed to cast his lot with the newly elected Senators; and that any Senator having any defect such as bad hearing be allowed to select his seat first.

By unanimous consent, on request of Senator Mullaney, he and Senator Malone exchanged seats 32 and 30.

By unanimous consent, on request of Senator Moore, he and Senator Stevens of Wapello exchanged seats 47 and 16.

The motion prevailed and upon the drawing of seats the following selections were made:

Anderson	1	Irwin	37
Aschenbrenner	3	Kimberly	33
Baldwin	17	Knudson	19
Beardsley	23	McArthur	40
Bell of Crawford	46	Malone	30
Bell of Des Moines	49	Mason	36
Berg	26	Meyer	29
Billingsley	24	Miller	48
Byers	34	Millhone	11
Calhoun	50	Moore	15
Chrystal	4	Mullaney	32
Corwin	45	Nelson	42
Dewey	35	Parker	47
Donohue	8	Patterson	21
Doze	5	Pendray	10
Driscoll	38	Reese	20
Elthon	18	Roelofs	6
Fisch	44	Schmidt	43
Geske	31	Shangle	7
Goetsch	25	Shaw	27
Grunewald	2	Stanley	28
Harrington	12	Stevens of Decatur	9
Hopkins	39	Stevens of Wapello	16
Hush	22	Valentine	14
Husted	41	Wilson	13

ELECTION OF PRESIDENT PRO TEMPORE

Senator Moore placed in nomination the name of Senator Harold L. Irwin of Clinton county as a candidate for the office of President pro tempore of the Forty-sixth General Assembly.

The nomination was seconded by Senators Geske and Stevens of Wapello.

Senator Beardsley placed in nomination the name of Senator Homer Hush of Montgomery county as a candidate for the office of President pro tempore of the Forty-sixth General Assembly.

Senator Valentine asked for a roll call to ascertain the presence of a quorum.

The roll call revealed the presence of all the members of the Senate.

Senator Wilson moved that nominations cease and asked for a roll call on the election.

Voting for Irwin, 27.

Anderson	Driscoll	Mason	Schmidt
Aschenbrenner	Fisch	Meyer	Shangle
Baldwin	Geske	Miller	Stevens
Bell of Crawford	Goetsch	Moore	of Decatur
Bell	Grunewald	Mullaney	Stevens
of Des Moines	Harrington	Pendray	of Wapello
Chrystal	McArthur	Reese	Valentine
Doze	Malone		

Voting for Hush, 21.

Beardsley	Dewey	Kimberly	Patterson
Berg	Donohue	Knudson	Roelofs
Billingsley	Elthon	Millhone	Shaw
Byers	Hopkins	Nelson	Stanley
Calhoun	Husted	Parker	Wilson
Corwin			

Not voting, 2.

Hush Irwin

The President declared Senator Irwin the duly elected President pro tempore.

Senator Irwin escorted by Senators Baldwin and Kimberly appeared before the President and took the oath of office.

President pro tempore took the chair at 11:59 a. m. On motion of Senator Shangle Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened at the fall of the gavel, President N. G. Kraschel presiding.

Roll call revealed the presence of all members of the Senate.

Senator Stevens of Wapello placed in nomination the following names as permanent officers of the Forty-sixth General Assembly:

Secretary—Hedo M. Zacherle, Polk.

Assistant Secretary—Walter Meier, Pottawattamie.

Reading Clerk—Robert Miller, Page.

Journal Clerk—Helen Blake, Warren.

Assistant Journal Clerk—Wilma Wassman, Plymouth.

Engrossing Clerk—Sara J. Conlin, Dubuque.

Enrolling Clerk—Lucille Ross, Polk.

Assistant Enrolling Clerk—Doris Wilson, Calhoun.

Enrolled Bills Clerk—Frances Crawford, Polk.
 General Clerk—Ray R. Sheehan, Lee.
 Assistant General Clerk—Robert Jamison, Wayne.
 Sergeant-at-Arms—W. C. Boyle, Cerro Gordo.
 Assistant Sergeant-at-Arms—Nick Colsch, Allamakee.
 Chief Doorkeeper—A. P. Canny, Wapello.
 Assistant Doorkeeper—Val. J. Schmidt, Dubuque.
 Assistant Doorkeeper—Judson Fallett, Woodbury.
 Assistant Doorkeeper—C. Ed. Evan, Davis.
 Assistant Doorkeeper—Rev. W. R. Hastie, Monroe.
 Assistant Doorkeeper—Geo. Hamilton, Decatur.
 Assistant Doorkeeper—Frank Jenkins, Pottawattamie.
 Assistant Doorkeeper—Ben J. Beck, Cherokee.
 Assistant Doorkeeper—Fred Rowald, Clinton.
 Bill Clerk—Marjorie Wilkinson, Ringgold.
 File Clerk—Howard F. O'Brien, Buchanan.
 Matron—Ardella Watkins, Polk.
 Messenger to Mail Carrier—Ellis Burroughs, Marshall.
 Postmistress—Mrs. Bell Streeby, Wapello.
 Telephone Messenger—Mary Ivory, Polk.
 Cloak Room Janitor—George Stewart, Polk.
 Cloak Room Janitor—C. C. Dixie Rowe, Woodbury.
 Janitor—Montrose Beckley, Des Moines.

Senator Beardsley placed in nomination the following names as permanent officers of the Forty-sixth General Assembly:

Secretary—Wm. Davidson.
 Assistant Secretary—Walter H. Beam.
 Reading Clerk—Robert C. Phillips.
 Journal Clerk—Helen Lockner.
 Assistant Journal Clerk—Ann Murphy.
 Engrossing Clerk—Jack Clark.
 Enrolling Clerk—Margaret Mathis.
 Assistant Enrolling Clerk—Elnor Maben.
 Enrolled Bills Clerk—Mabel Kenning.
 General Clerk—Della Harper.
 Assistant General Clerk—John M. Ramsey.
 Sergeant-at-Arms—O. M. Raleigh.
 Assistant Sergeant-at-Arms—W. D. Wallace.
 Chief Doorkeeper—Redfield C. Mills.
 Assistant Doorkeeper—John F. Baker.
 Assistant Doorkeeper—Charles Laffer.
 Assistant Doorkeeper—Orley E. Severson.
 Assistant Doorkeeper—Frank Shaffer.
 Assistant Doorkeeper—Joe Chocholka.
 Assistant Doorkeeper—Alfred Drake.
 Bill Clerk—Carl Aschan.
 File Clerk—Charles A. Lindenau.
 Matron—Etta Mae Bland.

Messenger to Mail Carrier—Geo. W. Hamilton.
 Telephone Messenger—W. J. O'Connell, Jr.
 Cloak Room Janitor—Fred V. Miller.
 Cloak Room Janitor—George S. Logan.
 Janitor—W. T. Jones.
 Postmistress—Helen Wallett.

Senator Stevens of Wapello moved that the subject be divided and each office be voted on separately.

The motion prevailed.

Senator Knudson moved that the Senate vote by Australian ballot.

Senator Valentine raised the point of order that the motion by Senator Stevens of Wapello had prevailed, as to the method of voting, and Senator Knudson's motion was out of order.

The President ruled that the motions did not conflict, and that the point of order was not well taken.

Senator Harrington moved as a substitute, that the Senate proceed to vote on the individual officers by roll call.

The question was, Shall the motion prevail?

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

Ayes, 22.

Anderson	Fisch	Mason	Shangle
Baldwin	Geske	Meyer	Stevens
Bell of Crawford	Harrington	Moore	of Decatur
Bell	Irwin	Mullaney	Stevens
of Des Moines	McArthur	Pendray	of Wapello
Driscoll		Reese	Valentine
Doze	Malone		

Nays, 28.

Aschenbrenner	Corwin	Hush	Parker
Beardsley	Dewey	Husted	Patterson
Berg	Donohue	Kimberly	Roelofs
Billingsley	Elthon	Knudson	Schmidt
Byers	Goetsch	Miller	Shaw
Calhoun	Grunewald	Millhone	Stanley
Chrystal	Hopkins	Nelson	Wilson

Absent or not voting, none.

The substitution was lost.

Senator Moore moved to amend the motion by providing that the ballots be signed and printed in the Journal.

Senator Patterson raised the point of order that the question

was substantially the same as the one by Senator Harrington which had lost.

The President did not sustain the point of order.

Senator Wilson asked for a roll call on the amendment.

The question was, Shall the amendment be adopted?

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

Ayes, 23.

Anderson	Driscoll	Meyer	Shangle
Baldwin	Fisch	Miller	Stevens
Bell of Crawford	Geske	Moore	of Decatur
Bell	Harrington	Mullaney	Stevens
of Des Moines	Irwin	Pendray	of Wapello
Chrystal	Malone	Reese	Valentine
Doze	Mason		

Nays, 27.

Aschenbrenner	Dewey	Husted	Patterson
Beardsley	Donohue	Kimberly	Roelofs
Berg	Elthon	Knudson	Schmidt
Billingsley	Goetsch	McArthur	Shaw
Byers	Grunewald	Millhone	Stanley
Calhoun	Hopkins	Nelson	Wilson
Corwin	Hush	Parker	

Absent or not voting, none.

The amendment was lost.

The Knudson motion prevailed.

Senator Harrington moved that a committee of three be appointed as tellers to count the ballots.

The motion prevailed and the President appointed Senators Harrington, Stevens of Wapello and Byers.

Senator Wilson moved that as each member's name is called he deposit his vote with the tellers at the secretary's desk.

The motion prevailed.

Senator Stanley moved that the joint ballot prepared with both parties' slates thereon be substituted for the two separate party slates placed on the desks of the Senators.

Senator Stevens of Wapello moved to amend the motion by providing that the list be proof read for correction before vote is taken.

The amendment was adopted.

The motion as amended prevailed.

By unanimous consent, on request of Senator Wilson, it was agreed that any mistakes in spelling of names be corrected in the Journal.

Senator Valentine moved that the eight high candidates for assistant doorkeeper be duly elected.

The motion prevailed.

The President directed that, as the Secretary called the roll, each Senator deposit his ballot in the box provided on the Secretary's desk.

The tellers retired to a committee room to count the ballots.

COMMITTEE FROM THE HOUSE

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

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Wilson moved that a committee of three be appointed to notify the Governor that the Senate is now organized and ready to receive messages and to transact such business as may come before it.

The motion prevailed and the President appointed as such committee Senators Wilson, Meyer and Mullaney.

COMMITTEE TO NOTIFY THE HOUSE

Senator Malone 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 Malone, Millhone and Bell of Des Moines.

ADOPTION OF RULES

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

The motion prevailed.

COMMITTEE ON CHAPLAINS

Senator Stevens of Decatur moved that a committee of one be appointed to provide chaplains for the Senate during the sessions of the Forty-sixth General Assembly.

The motion prevailed and the President appointed as such committee Senator Stevens of Decatur.

COMMITTEE ON MILEAGE

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

The President appointed the following committee: Senators Hush, Billingsley and Driscoll.

COMMITTEE ON COMMITTEE ROOMS

Senator Calhoun moved that a committee of three be appointed to assign the committee rooms to the various standing committees and to arrange for regular hours of meeting. The motion prevailed.

The President appointed the following committee: Senators Calhoun, Anderson and Doze.

BADGES

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

REPORT OF COMMITTEE TO NOTIFY GOVERNOR

Senator Wilson reported that the committee assigned to notify the Governor that the Senate was organized and ready for business had performed its duty and that the Governor extended his heartiest greetings and expressed his desire for full cooperation.

The report was received and the committee discharged.

REPORT OF COMMITTEE TO NOTIFY HOUSE

Senator Malone reported that the committee assigned to notify the House that the Senate was organized and ready for business had performed its duty.

The report was received and the committee discharged.

ASSIGNMENT OF SEATS IN PRESS GALLERY

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

The secretary assigned the following seats:

- C. C. Clifton, Des Moines Register, number 51.
- Cliff Millen, Des Moines Tribune, number 52.
- Charles V. Warren, Associated Press, number 53.
- Hugo Jencks, United Press, number 54.
- Edw. Stout, International News Service, number 55.
- George Mills, Iowa Daily Press Association, number 56.
- I. C. Kartack, Independent Correspondent, number 57.
- Harry Martin, Chamber of Commerce Press Bureau, number 63.
- G. L. Caswell, Iowa Daily Press Association, number 64.

RENTAL OF TYPEWRITERS

Senator Knudson moved that a committee of three be named to enter into a rental contract on behalf of the Senate for typewriters and other equipment to be used during the period of the Forty-sixth General Assembly.

The motion prevailed and the President named Senators Knudson, Baldwin and Aschenbrenner to serve on said committee.

MOTION FOR APPOINTMENT OF TELLERS FOR
OFFICIAL CANVASS

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

Senator Bell of Crawford offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION 1

Resolved by the Senate, the House concurring: That when adjournment is had on Thursday afternoon, January 17, 1935, it be to reconvene Tuesday afternoon, January 22nd, at 2:00 p. m.

Passed on file.

Senator Stevens of Wapello offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION 2

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

By unanimous consent, on request of Senator Stevens of Wapello, the rules were suspended and the resolution adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House concurrent resolution 1 providing for a joint convention of the two houses to be held on January 15, 1935, at 2:00 p. m.

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

House concurrent resolution 2, providing for appointment of a joint committee to nominate additional employees for the legislature.

VIRGIL LEKIN, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 1

Be It Resolved by the House, the Senate concurring: That a joint convention of the two Houses of the Forty-sixth General Assembly be held on January 15, 1935, at 2:00 p. m.

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

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

HOUSE CONCURRENT RESOLUTION 2

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

By unanimous consent, on request of Senator Pendray, the rules were suspended and House concurrent resolution 1 was adopted.

By unanimous consent, on request of Senator Kimberly, the rules were suspended and House concurrent resolution 2 was adopted.

Senator Miller offered the following resolution:

SENATE RESOLUTION 1

Resolved: That each Senator, the Lieutenant Governor and the Secretary of the Senate be and is hereby authorized to appoint a clerk who shall be a competent stenographer, said selections to be made and announced from the floor of the Senate by each Senator, by the Lieutenant Governor and the Secretary of the Senate not later than the day on which the committees are announced by the Lieutenant Governor. Each clerk shall be sworn in when found proficient by a committee of three which the President of the Senate is hereby authorized to appoint.

By unanimous consent, on request of Senator Miller, the rules were suspended and 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 adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate concurrent resolution 2 relative to the appointment of a joint committee to arrange for the inauguration of the Governor and Lieutenant Governor and the Speaker has appointed the following committee: Frizzell of Poweshiek, Cundy of Black Hawk, Hickenlooper of Linn, Knudson of Cerro Gordo, Flynn of Winneshiek and McNie of Franklin.

VIRGIL LEKIN, *Chief Clerk.*

REPORT OF TELLERS ON PERMANENT ORGANIZATION

Senator Stevens of Wapello reported for the special committee:

MR. PRESIDENT: Your committee which was instructed to act as tellers and to count the ballots cast by the members of the Senate on the election of permanent officers begs to report that it has performed its duty and determined the results to be as follows:

Position	Democrat	Republican
Secretary.....	Hedo M. Zacherle.... 31	Wm. Davidson.....19
Assistant Secretary.....	Walter Meier.....26	Walter H. Beam.....24
Reading Clerk.....	Robert Miller.....24	Robert Phillips.....26
Journal Clerk.....	Helen Blake..... 27	Helen Lockner.....23
Asst. Journal Clerk.....	Wilma Wassman.....29	Ann Murphy.....21
Engrossing Clerk.....	Sara J. Conlin.....31	Jack Clark.....18
Enrolling Clerk.....	Lucille Ross.....24	Margaret Mathis.....26
Asst. Enrolling Clerk.....	Doris Wilson.....26	Eleanor Mabin.....24

Position	Democrat	Republican
Enrolled Bills Clerk.....	Francis Crawford.....29	Mable Kenning.....21
General Clerk.....	Ray R. Sheehan.....29	Della Harper.....21
Asst. General Clerk.....	Robert Jamison.....28	John M. Ramsey.....22
Sergeant-at-Arms.....	W. C. Boyle.....30	C. M. Rawleigh.....20
Asst. Sergeant-at-Arms.....	Nick Colsch.....28	W. D. Wallace.....22
Chief Doorkeeper.....	A. P. Canny.....24	Redfield C. Mills.....26
Assistant Doorkeeper.....	Val J. Schmidt.....28	Charles C. Laffer.....22
Assistant Doorkeeper.....	Judson Fallett.....25	John F. Baker.....25
Assistant Doorkeeper.....	C. Ed. Evans.....27	Orley E. Severson.....23
Assistant Doorkeeper.....	Rev. W. R. Hastie.....29	Frank Shaffer.....22
Assistant Doorkeeper.....	Geo. Hamilton.....28	Joe Chocolka.....22
Assistant Doorkeeper.....	Frank Jenkins.....28	Alfred Drake.....21
Assistant Doorkeeper.....	Ben J. Beck.....30	
Assistant Doorkeeper.....	Fred Becker.....29	
Bill Clerk.....	Marjorie Wilkinson.....29	Carl Aschan.....21
File Clerk.....	Howard F. O'Brien.....31	Charles A. Lindenau.....19
Matron.....	Ardella Watkins.....28	Etta Mae Bland.....22
Postmistress.....	Mrs. Bell Streeby.....27	Helen Wallett.....23
Messenger to		
Mail Carrier.....	Ellis Burroughs.....29	Geo. W. Hamilton.....21
Telephone Messenger.....	Mary Ivory.....26	W. J. O'Connell, Jr.....23
Cloak Room Janitor.....	Geo. Stewart.....28	Fred V. Miller.....22
Cloak Room Janitor.....	C. C. Dixie Rowe.....28	George Logan.....22
Janitor.....	Montrose Beckley.....28	W. T. Jones.....22

Senator Stevens of Wapello moved that both John F. Baker and Judson Fallett be considered as having been elected assistant doorkeepers.

The motion prevailed.

The report was adopted and the following were duly elected as permanent officers of the Forty-sixth General Assembly:

Secretary—Hedo M. Zacherle, Polk.
 Assistant Secretary—Walter Meier, Pettawattamie.
 Reading Clerk—Robert Phillips, Polk.
 Journal Clerk—Helen Blake, Warren.
 Assistant Journal Clerk—Wilma Wassman, Plymouth.
 Engrossing Clerk—Sara J. Conlin, Dubuque.
 Enrolling Clerk—Margaret Mathis, Polk.
 Assistant Enrolling Clerk—Doris Wilson, Calhoun.
 Enrolled Bills Clerk—Frances Crawford, Polk.
 General Clerk—Ray R. Sheehan, Lee.
 Assistant General Clerk—Robert Jamison, Wayne.
 Sergeant-at-Arms—W. C. Boyle, Cerro Gordo.
 Assistant Sergeant-at-Arms—Nick Colsch, Allamakee.
 Chief Doorkeeper—Redfield C. Mills, Dallas.
 Assistant Doorkeeper—Val J. Schmidt, Dubuque.
 Assistant Doorkeeper—Judson Fallett, Woodbury.

Assistant Doorkeeper—John F. Baker, Jasper.
 Assistant Doorkeeper—C. Ed Evan, Davis.
 Assistant Doorkeeper—Rev. W. R. Hastie, Monroe.
 Assistant Doorkeeper—Geo. Hamilton, Decatur.
 Assistant Doorkeeper—Frank Jenkins, Pottawattamie.
 Assistant Doorkeeper—Ben J. Beck, Cherokee.
 Assistant Doorkeeper—Fred Becker, Clinton.
 Bill Clerk—Marjorie Wilkinson, Ringgold.
 File Clerk—Howard F. O'Brien, Buchanan.
 Matron—Ardella Watkins, Polk.
 Messenger to Mail Carrier—Ellis Burroughs, Marshall.
 Postmistress—Mrs. Belle Streeby, Wapello.
 Telephone Messenger—Mary Ivory, Polk.
 Cloak Room Janitor—George Stewart, Polk.
 Cloak Room Janitor—C. C. Dixie Rowe, Woodbury.
 Janitor—Montrose Beckley, Des Moines.

The following newly elected officers appeared before the bar of the Senate and took the required oath of office:

Hedo M. Zacherle	Frances Crawford	Geo. Hamilton
Walter Meier	Ray R. Sheehan	Ben J. Beck.
Robert Phillips	Robert Jamison	Marjorie Wilkinson
Helen Blake	W. C. Boyle	Howard F. O'Brien
Wilma Wassman	Redfield C. Mills	Ardella Watkins
Sara J. Conlin	Val J. Schmidt	Mrs. Belle Streeby
Margaret Mathis	Judson Fallett	Mary Ivory
Doris Wilson	John F. Baker	George Stewart

INTRODUCTION OF BILLS

Senate joint resolution 1, by Senators Valentine, Stevens of Wapello, Irwin, Geske and Roelofs, a joint resolution creating a joint investigating committee to investigate the operation of the Iowa Liquor Control Act and the administration of said act by the Iowa Liquor Control Commission and to make report of its findings together with recommendations to the Forty-sixth General Assembly.

Whereas, criticism has been made of the operation of the Iowa Liquor Control Act, passed by the Forty-fifth General Assembly in Extraordinary Session and of the administration of said act by the Iowa Liquor Control Commission, and, that,

Whereas, it is desirable that a legislative investigation be had, therefore,

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

Section 1. That a joint investigating committee of six members of the Forty-sixth General Assembly be appointed, three of whom shall be appointed by the President of the Senate from the members of the Senate

and three of whom shall be appointed by the Speaker of the House of Representatives from the members of the House of Representatives.

Sec. 2. That said investigating committee be, and, it is hereby, authorized and directed to investigate the operation of said Iowa Liquor Control Act, and the administration of said act by the Iowa Liquor Control Commission, and to make report of its findings together with recommendations, to the Forty-sixth General Assembly.

Read first and second times and passed on file.

COMMITTEE ON EXTRA HELP

The President announced as a committee on the part of the Senate to act on committee for the employment of extra help, Senators Kimberly, Schmidt and Harrington.

COMMITTEE ON INAUGURAL ARRANGEMENTS

President pro tempore Harold L. Irwin named as members of committee on the part of the Senate provided in Senate concurrent resolution 2, Senators Chrystal, chairman, Wilson, Grunewald, Stanley, McArthur and Millhone.

TELLERS ON OFFICIAL CANVASS

President pro tempore Harold L. Irwin named as tellers for the official canvass of the vote on Governor and Lieutenant Governor, Senators Stevens of Wapello, Shaw of Pocahontas and Irwin of Clinton.

On motion of Senator Wilson, the Senate adjourned until 10:00 a. m., Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 15, 1935.

The Senate met pursuant to adjournment, President N. G. Kraschel presiding.

Prayer was offered by Rev. H. Sears Thompson, pastor of the First Presbyterian church of Ottumwa.

SENATE CONCURRENT RESOLUTION 1 CONSIDERED

Senator Bell of Crawford called up for consideration the following Senate concurrent resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION 1

Resolved by the Senate, the House concurring: That when adjournment is had on Thursday afternoon, January 17, 1935, it be to reconvene Tuesday afternoon, January 22nd, at 2:00 p. m.

The resolution was adopted.

On motion by Senator Harrington, the Senate recessed until 1:15 p. m.

AFTERNOON SESSION

The Senate reconvened at the fall of the gavel.

REPORT OF JOINT COMMITTEE ON EXTRA HELP

Your committee on extra help begs leave to make the following report:

Assistant Law Research—Robert Miller.

Assistant Research—Donald P. Reel.

Stenographer and Typist, Law Library—Frances Judas.

Stenographer and Typist, Law Library—Mary Kennedy.

Page to Librarian and his office—Billie Burke.

Legislative Assistant, Economics Department—C. S. Gracey.

Stenographer for Economics Division—Margaret Alice Collins.

Assistant Messenger to Mail Carrier—Herman Kelch.

Post Office Assistant—W. J. O'Connell, Jr.

Assistant Matron—Gertrude North.

Elevator Tenders—Paul Hartley, W. P. Jones, John Schaap, William Anderson.

Janitors—John Taulks, W. Tinsley, Bernard Boyle, Joe Fidler, Emerson Aulman, A. P. Canny, Albert S. Hamilton, George Logan, Joe L. Phelan, Ed Butler, Rudolph Bush, J. Tolson.

D. W. KIMBERLY, *Chairman for the Senate.*

W. TREIMER, *Chairman for the House.*

M. C. FALVEY.

PAUL SCHMIDT.

VINCENT F. HARRINGTON.

LA MAR FOSTER.

Senator Kimberly moved the adoption of the report.

The report was adopted.

The following employees appeared before the bar of the Senate and took the required oath of office:

Robert Miller	John Schaap	W. J. Hastie
Frances Judas	W. Tinsley	Frank B. Jenkins
C. S. Gracey	A. P. Canny	Ellis Burroughs
James McDermott	George Logan	C. Ed Evans
W. J. O'Connell, Jr.	Ed Butler	Montrose Beckley
Gertrude North	Rudolph Bush	Donald P. Reel

COMMITTEE FROM THE HOUSE

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

The Senate proceeded to the House under the direction of the Sergeant-at-Arms.

JOINT CONVENTION

In accordance with the law and concurrent resolution duly adopted the Joint Convention was called to order, President of the Senate Kraschel, presiding.

The roll was called.

Those present were, 143.

Anderson	Blattspieler	Craven	Doze
Aschenbrenner	Blue	Cundy	Dreessen
Avery	Bonnstetter	Cunningham	Driscoll
Ayres	Bowers	of Humboldt	Elliott
Baldwin	Burington	Cunningham	Ellsworth
Baumhover	Calhoun	of Polk	Elthon
Bell of Crawford	Campbell	Curtis	Evans
Bell of	Chrystal	Dancer	Falvey
Des Moines	Clark	Daniels	Felter
Benz	Copeland	Dewey	Fisch
Berg	Corwin	Donohue	Fishbaugh
Billingsley	Cramer	Doran	Flynn

Foster	Johnson of	Moore of	Shifflett
Freeborn	Hancock	Harrison	Smith
Frizzell	Johnston of Lucas	Moore of	Sorg
Fuelling	Kimberly	Pottawattamie	Sours
Gallagher	Knudson of	Moore of Shelby	Stevens of
Gaughen	Cerro Gordo	Moore of Taylor	Decatur
Geske	Knudson of	Moore of Wayne	Stevens of
Goetsch	Hamilton	Moore of	Wapello
Goode	Kringlaak	Woodbury	Stewart of
Groves	Kuester	Mullaney	Calhoun
Grunewald	Laughlin	Nelson	Stewart of
Hansen of	Lookingbill	Oehmke	Washington
Mitchell	Love	Ove	Stimpson
Hanson of	McArthur	Peaco	Taylor
Appanoose	McGill	Peel	Teter
Hartman	McKinnon	Putnam	Thies
Hendrickson	McLean	Reilly	Thompson of
Henningsen	McNie	Rice	Buchanan
Hickenlooper	Malone	Riddle	Thompson of
Hopkins	Maniece	Roan	Guthrie
Hultman	Mason	Roe	Thompson of
Hush	Mercer	Rutherford	Pocahontas
Husted	Metcalf	Ryder	Treimer
Irwin of Clinton	Meyer	Schlatter	Weed
Irwin of Lee	Miller	Schmidt	Wieben
Jenkins	Millhone	Scott	Wiese
Johannes	Mitchell	Selby	Yager
Johnson of	Moore of Benton	Shangle	Zeigler
Buena Vista		Shaw	

Those absent were, 15.

Alesch	Harrington	Pendray	Thiessen
Beardsley	McFarlane	Reese	Valentine
Byers	Parker	Roelofs	Wilson
Fuester	Patterson	Stanley	

President Nelson G. Kraschel announced a quorum present and the Joint Convention duly organized.

Senator Malone 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 Convention was ready to receive him. Motion prevailed and the President appointed Senator Malone of Cass on the part of the Senate, and Representatives Gaughen of Delaware and Elliott of Polk, on the part of the House.

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

President Kraschel then presented Governor Clyde L. Herring who delivered the following message:

GOVERNOR HERRING'S MESSAGE

To the Senate and House of the Forty-sixth General Assembly of Iowa:

Two years ago I came before you at a time when the tide of adversity was running high; when our country had fallen upon evil days; when men of courage had all but lost hope. Today the sun is again shining and hope and confidence fill the hearts and souls of men.

If we but take measure of our possessions in spirit and in opportunity, we will find much that was not ours two years ago. One of the priceless things of life is the human tendency to forget evil and pain and want, while at the same time remembering that which is good. It is fortunate for humanity that we thus forget and thus remember. Of the two, I think, perhaps, the ability to forget is the most essential to happiness, but it is sometimes necessary that we give thought to the past that we may rightly judge the present.

That you may look upon today in the knowledge of yesterday, I wish to read briefly from the opening paragraphs of my message to you two years ago. I then said:

“You are met as the 45th General Assembly of Iowa in one of the darkest hours of our history. This session transcends in importance those of previous years for reasons which are distressingly plain. Our principal basic industry is prostrate. With corn selling in a typical Iowa county at twelve cents a bushel, oats at eight cents a bushel, hogs at two cents and cattle at one to four cents a pound, our farmers are not realizing production costs. Bank failures, actions in foreclosure of rural and urban homes, and of stocks of merchants, constitute a large part of the business of our courts. Few of our industries are operating at a profit, and in many of them operations are stopped. Men and women eagerly seeking the opportunity to earn their living can find no work. Despair is in the heart of the debtor, and mute appeal for help in the faces of our heavily burdened citizens.”

As I repeat this paragraph today, it does not seem possible that the statements therein could be true; that corn sold for ten or twelve cents, oats for eight cents, hogs for two cents and cattle for four cents and less; that banks were failing everywhere; that mortgages were in course of foreclosure in all our courts; that

men despaired and that hope had fled, and yet every statement was then true, but true no longer.

We have not scaled the heights, nor are we wholly out of the shadow into the sunlight, nor is full accomplishment as yet ours, but we are steadfastly marching forward. Our forces are united, marching in even step. They are confident, they are hopeful.

The constitution of Iowa requires that I submit for your consideration a report covering the state's activities during the preceding two years, together with my recommendations for present legislation. This is a duty I gladly accept. It is right that today, after two years of stewardship, I should report to you in your capacity as directors of a great corporation comprising the two and one-half million citizens who constitute the ownership of this great state of ours.

To make such a report in detail in this message would require an unreasonable amount of time, and I shall, therefore, give you but a brief summary to be followed by a complete and detailed report which will be printed and placed upon your desks. I shall also reserve until a later date, my recommendations for future legislation. When these recommendations are submitted to you, they will be neither indefinite nor uncertain, but will be as clear and as specific as I am able to marshal thoughts into words.

As I have just said—when this administration came into power two years ago, the people of Iowa were facing destruction from the greatest financial catastrophe ever endured by any people. Our backs were bowed to the storm. We were in full retreat. Our commanders were inert, hesitant, uncertain. They gave no marching orders. Their very unwillingness to act was accepted by the people as inability to act, and as men lost confidence in their leaders, they lost hope for themselves. They saw the breakdown of an economic system. Their homes were going from them by foreclosure. The savings of a lifetime were cruelly taken as bank after bank closed its doors.

Men gathered in public places and along our highways, determined to secure justice by force. The very integrity of our government was in danger. The time for words and opiates had passed—action alone could restore order and confidence.

The greatest menace as I stood before you upon this platform two years ago was the foreclosure of mortgages against the farms and homes of our people. There was no law under which such

foreclosures could be prevented, or even delayed. I had no definite authority to act, but it is sometimes necessary in the service of humanity that those in power go farther than to abide merely by the letter of the law. There is, of course, always danger in going beyond granted authority, but if justice can be preserved only by instant and decisive action, I believe that no public official should waiver or hesitate. So believing, I immediately issued a proclamation banning further foreclosures. That proclamation, perhaps, had no legal basis upon which to rest, but it did have the earnest, wholehearted approval of the people of Iowa, and so approved, it became as powerful as law itself.

A few weeks later you adopted a moratorium law, effective until March first of this year. It should, and doubtless will, be extended, for our highest courts passing upon this and similar laws, have upheld them and experience has proven their effectiveness.

There is a grave question as to whether, if the Executive had held back and temporized, pleading lack of authority, and had the General Assembly delayed or refused to act because of contention that contract rights were being invaded, whether our people, normally the most law abiding people in the world, would have peacefully accepted continued evictions from their homes.

When banks were closing daily, and frightened people were bringing about their own destruction by precipitate runs upon solvent banks, you met that situation to the fullest extent legally possible, by enactment of Senate File 111.

In the twelve days between January first, 1933, and the convening of the General Assembly, thirteen of the 643 state banks then operating were compelled to close their doors, and thirty per cent of the remainder of the banks were forced to appeal to local authorities for the declaration of a holiday in order to avoid receivership.

When Senate File 111 was passed, approximately one hundred thirty-five banks came immediately within its protection. When the national moratorium was declared, 625 additional state banks, savings banks and trust companies came under the provisions of Senate File 111.

You did not hesitate when you faced that grave crisis, nor will you hesitate when there shall later come before you legislation denounced by some who, fearing loss of position, make loud

protests to frighten the timid, nor will you be misled by selfish interests, but rather will you think of the nearly two and one half million citizens out on the Iowa acres and in the towns and cities, striving to carry on, relying upon you, their representatives, to enact such legislation as will be of benefit to the state as a whole.

However peaceful, however good intentioned a people may be, human experience has proven the necessity of some form of government. Men must be restrained by law if they shall best progress. Men must be protected by law if the rights of the individual shall be preserved against greed. And all law must recognize that human rights rise far above property rights.

Guided by these motives, many of you have faithfully and efficiently served the people of Iowa in the two sessions since I became Governor. I am certain the ambition which then led you to forget self, and labor for all the people, will again guide and control.

Two short but eventful years ago, our state government was in a condition of chaotic ineffectiveness. Records indicating ample cash on hand were soon found to be wholly unreliable, as will be disclosed by the detailed financial statement to be supplied you. But thirty-seven per cent of the cash claimed available in the state treasury was in reality available. Records indicating ample cash on hand were thus found to be wholly unreliable. Apparent solvency was established by inclusion of items later revealed to be utterly worthless. With the state credit at the lowest ebb in its history, with expenditures during the year 1932 far in excess of receipts, it was necessary early in 1933 to stamp warrants "Not Paid for Want of Funds," and before this deficit could be paid from receipts, and expenditures brought in balance with the revenue, more than twelve and one half millions of stamped warrants had been issued.

Today ninety-four per cent of the amount upon the Treasurer's statement is liquid and on hand.

Within these past two years the budget has been balanced, the deficit has been eliminated and not a dollar in stamped warrants against the State of Iowa is outstanding.

That we did not stumble in the dark is proven by the condition of our treasury today. Never before in our history has state credit stood higher. Never before have state obligations been

more promptly met, and never before were state expenditures more nearly in keeping with state income.

Although a budget law had been long discussed by previous administrations, the law in effect two years ago was incomplete and ineffective. Information relative to the state's financial operations could be obtained only by long and tedious search among public records of eight different state agencies, all vested with power to contract obligations and to certify payment for same. There was no central agency responsible for all accounting and all expenditures. A balanced budget was a figment of hopeful imagination, for no one could be sure he had the information essential to right determination.

Confronted by the economic chaos then prevailing, I recommended for your consideration a budget and financial control law.

The Budget and Finance Control Act, which you enacted, is justifying itself each day. It is saving the tax payers vast sums of money each year. It is a law that any state may be proud to have upon its statute books. By its terms all state expenditures are coordinated. Each hand knows exactly what the other hand is doing. Duplication and waste and inefficiency are prevented, and always the Governor is able to hold expenditures down to revenue.

At the Special Session you gave consideration to the needs of the older people of our state, the fathers and mothers who in their day of activity made possible the heritage we now call our own. You saw misfortune bearing down with frightful force upon those who once cheerfully bore the burdens you now bear. Then they stood erect, they were strong, they were proud. They could face the world and battle for their own.

They then asked no favors other than the right to work and by their labor maintain their homes and feed and clothe and educate you, their children. As you turned from the past to the present you saw long lines of the aged, the handicapped, waiting and praying for protection. And you saw in that line, men and women once possessed of means, and who, through no fault of their own, were now unable to protect themselves. As you looked upon those men and women you thought they still possessed some claims upon humanity. So remembering and mindful of the claims age has upon youth, you adopted an Old Age Assistance Law.

I recognize the imperfections of this law. You were burdened with many important and difficult problems which demanded immediate action. That law, as well as many other laws, was the outgrowth of imperative, immediate necessity. It was hastily drawn, but it is justified because it establishes in Iowa the principle of old age assistance. I am sure you will give thought to the present law and by such necessary amendments make it the effective measure intended by those who passed it.

For more than half a century our laws of taxation stood almost unchanged. Real estate by its very nature could not escape, for it could not be hidden, and burden after burden was heaped upon a small per cent of our citizens, who, through industry, thrift, and economy had become owners of farms and homes.

Those who had borne such burdens as well as those who had studied the difficult subject of taxation, had been long convinced that some remedy must be found. To that end you spent earnest, anxious weeks, and finally there came before me for approval, one of the best, if not the best, laws upon taxation to be found in all this nation. In that law you provided for three types of taxation—a sales tax, an income tax, and a corporation tax. We have operated under that law less than a year, but in every way it has proven your wisdom in its enactment.

The revenue from all sources collected by the Sales Tax Department for a period of approximately six months, is five and one half million dollars. Receipts and anticipated receipts from this tax replacement measure are replacing the 1934 state levy of more than six millions and are cancelling the last half of the previous year's state levy of more than three millions of dollars. Receipts from this measure have had much to do with the financial condition of the state treasury. There must be permitted no diversion of the revenue from this measure to other than the purposes originally intended and contained in the law itself when enacted.

Amendments deemed necessary by actual experience will be submitted for your consideration, but in its essence that law stands today unchallenged. It is no longer a theory. It has supplied the cash necessary to match federal appropriations for relief to our citizens, and without this measure additional burdens of taxation would have been forced upon every farm and home in Iowa. Based upon observation and experience I say to you that

never before in the history of our state have so many millions of dollars been paid into the state treasury provided by so just and equitable a distribution of the levy. The Three Point Tax Replacement measure which you so wisely enacted a year ago stands as a credit to every member who voted for it.

At your regular session two years ago, you approached the subject of intoxicating liquor, always difficult, always dangerous. At that time you enacted the so-called beer law. A year ago you re-wrote that law. We have now had nearly two years' experience in the handling of beer under the law thus written. I am not satisfied with the results achieved and I am sure you are not satisfied. That law must be rewritten.

When the Eighteenth Amendment was repealed, it became necessary to determine the course to be followed in this state, not only as to beer, but as to hard liquor as well. At the regular session two years ago, you authorized the appointment of a committee of nine and directed them to carefully study the various methods of liquor control.

In compliance, and with your approval, this committee of nine was named—men experienced in legislation, in law, in business and in social welfare. This committee made an intelligent and exhaustive study of the entire subject of liquor control and submitted for your consideration a clear cut report, endorsing and recommending the state liquor store system. Following this recommendation thus submitted, you framed an act providing for state liquor stores, and that act became law. A Liquor Control Commission was created and that Commission has been operating during the past ten months.

The General Assembly provided an appropriation of \$500,000 to be used in establishing the Liquor Commission and its stores. Fifty-seven stores have been opened. Each one of them is now being conducted at a profit. There has been some complaint that prices charged were higher than in adjoining states. This may or may not be true. Whether or not they are higher, it is the policy of the administration to maintain such prices as will guarantee that not a dollar of the tax payers' money shall be used in the operation of these stores.

Today I am glad to report that the \$500,000 appropriated is in the state treasury intact, and that, therefore, not a dollar collected as a tax is today invested in the administration of the liquor control law.

In the eighty-eight years since Iowa became a state, every possible method of liquor control has at one time or another been tried in this state. We have run the gamut from the sale of whiskey along with groceries, to the wide open and uncontrolled saloon, and from the controlled mullet saloon to prohibition. Not in all these experiments has a satisfactory solution been found.

The open saloon violated every element of decency, and offered daily insult to those who entertained the belief that human beings were more important than money profits. Prohibition, however justified as a theory, failed in actual practice and has been overwhelmingly repudiated in this country. Both prohibition and the saloon have been weighed in the balance and found wanting. Opportunity for private profit from liquor sales has been the uncontrollable agency for their destruction. The saloon keeper was there for but one purpose—to make money. To make big money he felt it necessary to violate the law, however liberal that law may have been.

If required to close at ten o'clock, he found a way to circumvent the law. Although denied the privilege of selling to minors and habitual drunkards, he, nevertheless, sold to them. If required to close on certain days, he apparently did close, but in fact continued to sell. Every restriction that had a tendency to reduce his profits was looked upon by him as unreasonable and, therefore, to be avoided and nullified.

Because he violated the law, he must have protection against the law thus violated. Money alone could give him that protection, and he carried bribe money in every pocket. Out of his operations an era of graft and corruption arose, more shameful than may be elsewhere found in human experience, save during the days of prohibition.

The people finally arose in their wrath and drove the saloon from our land, substituting prohibition in its stead. But prohibition did not calm human desire for liquor. Men still demanded the right to have liquor and would not be denied, law or no law. Immediately there developed in this country the most astounding era of crime our nation has ever experienced. The little bootlegger was brushed aside and there stood in his place a towering giant, so formidable in fact as to menace and endanger our very national life. He did not carry a few bottles of moonshine down dark alleys. He became a general with an army at his command, and that force

was an army in all but name. Those who marched with their leader were not called soldiers, they were called gangsters.

Their rule was not based upon law or reason or justice. Reason, justice and law were trampled under foot with disdainful disregard. The sawed off shot gun and the sub-machine gun took the place of law and order. Rival gangsters fought to the death. The one-way ride became a well known institution. Bribery and corruption flourished as never before, even in the days of the saloon. The entire situation became a national scandal so nauseating that the people refused to longer endure it, and prohibition was swept aside.

At once it was necessary to determine upon a course whereby the evils of the past could be avoided in the future. To accomplish that purpose, it was necessary to know the deep seated cause of failure. It was unnecessary to search in order to find the real evil in both prohibition and the saloon. That evil, and the very thing which destroyed both, was private profit. The saloon violated law and decency for profit. The rum runner and the gangster looked upon human life as of no consequence when private profits were being interferred with.

Our present system has no place and no provision for private profit. If profit accompanies our operations it is for all the people of our state.

For less than a year our state stores have been in operation. They are clean, orderly places of business. Incentive to make illegal sales is wanting for there is personal profit to no one by so doing. Any one, man or woman, may enter these stores without embarrassment. Our principal continuing trouble is still the bootlegger.

As he plied his trade when we had saloons, as he grew and became powerful under prohibition, so he continued after our stores were established. Our greatest obstacle to successful operation of our state stores has been, and still is, the beer parlors, joints and shacks which greet the eye upon every side. Once we have, by high license, limitation as to number and location, and non-political control, conquered these places, I firmly believe most of our present difficulties as to liquor control will cease. The setting up of this vast experiment has not been without its disappointments, but considering the size of the undertaking, I am convinced when the detailed audit of liquor control operations is placed before you, you will agree there is nothing to be seriously criticized.

Iowa, proud and resourceful, has ever been able to provide for its own. It is always the duty of, first, the local community, next the state, and then the nation, to care for those really in want.

Early in 1933 it became apparent that not without great hardship and perhaps danger could we continue to meet the demands caused by unemployment and other misfortunes. An appeal was made to the Federal Government for assistance in proportion to that which was being given to other states, and as a result of that appeal the Federal Government has, in the past year and a half, sent twenty-nine millions of dollars in cash into Iowa to help care for those in need. Under appointment by the Governor a state relief organization, composed of one representative from each district, was established. Also by Executive appointment committees were established in each county of the state.

The entire expense of this organization has been borne by the Federal Government. Not one penny of the Iowa tax payers' money has gone to the support of this relief program other than the three millions appropriated by the General Assembly. This state appropriation of three millions will be exhausted when the February allocation is made. From this statement it will be seen that the state has advanced three millions of dollars to obtain twenty-nine millions from the Federal Government.

There has been added from the regular charity funds of the various counties during this period a total of two and one-half millions of dollars. In addition, millions of pounds of various commodities have been supplied as direct relief. We have received literally many carloads of beef, butter, lard, eggs, cheese, and flour. This has all been distributed by these county committees—men and women who were selected because of their interest in their less fortunate neighbors, and who have served without compensation.

In January, 1933, there were thirty-eight thousand families upon relief. This declined to twenty-six thousand in December of 1933, due largely to the Civil Works Program which took many thousands off the direct relief rolls. In January, 1934, due to this same cause, C. W. A. works, there were but twenty-two thousand upon the relief rolls. When the Civil Works Program ended the list of those upon relief rose rapidly, and largely due to the drought, has continued to rise, until in November it totaled fifty-six thousand families.

We are assured by the President that a new program is forthcoming. He has declared that men must be put to work, and that

direct relief, which is a form of dole, must end. We are prepared immediately to cooperate with the new program.

Last February, at the request of the President, I called on technical and professional leaders of Iowa to assist in a thorough study of our national resources. Following the President's request I appointed a State Planning Board, composed of men and women from throughout the state. They were drafted from our state departments, our colleges, and our universities, from our agricultural, industrial, and other industries.

They have unselfishly donated time and energy to the success of the Iowa State Planning Board. By legislative enactment the Iowa State Planning Board should be given the dignity of a division of state activity. A planning report has been completed, and has been accepted in Washington as the outstanding state report submitted. Copies of this report will be given to each member of the Forty-sixth General Assembly. As a result of this report, we are prepared for the new four billion dollar reemployment program. The surveys have been made, the projects have been assembled, and are now in the hands of federal authorities. While we do not have details as to this new program, we are hopeful that it will comply with the President's announcement and will transfer from direct relief to a work program all of our employables.

It must be borne in mind that no work program will absorb all of those upon relief. Twenty-five per cent of those upon relief are for one cause or another unemployable.

Through cooperation with the Farm Credit Administration approximately one hundred and twenty millions of dollars of federal money has been loaned in refinancing Iowa farms. In cooperation with the Farm Credit Administration I established the Iowa Farm Debt Advisory Council, composed of twenty men representing both debtor and creditor, and to cooperate with them, local committees of five in each county of the state. The state is divided into ten districts. Each district has a full-time district coordinator, and the entire expense of this Iowa Farm Debt Activity is borne by the Federal Government. Thousands of threatened foreclosures have been averted through the efforts of this Farm Debt Council.

I cannot close this message without offering real encouragement in our battle against the forces of depression and want. We have not ascended the heights but we are on the upgrade, climbing higher each day. Depressions may come upon a people with all the devastating, terrifying suddenness of a declaration of war between great

nations, but no treaty of peace can bring them to an end. The forces of depression wage their war without proclamation. It has no leaders. It follows no rules of warfare. It is no respecter of persons. It crushes high and low alike. The powerful may fall before its onward sweep as well as the weak.

For over five years our nation has been in its devastating pathway. For three of those five years little was done save to watch and hope. Then a new order prevailed and an army was marshaled against the unseen but powerful enemy. It was necessary to forge new weapons. New and untried methods of warfare had to be evolved. That army had to be trained, experienced leaders sought out, fear driven from the minds of men, and courage and hope restored.

That army is in command. We are all in the service. Victory is before the men and women of this state and nation who constitute this army enlisted against the depression. Not today nor yet tomorrow may we sing a final song of victory, but that great day is fast approaching. As true soldiers, let us have faith. As good soldiers, let us be brave. As brave men and faithful men, let us gird on our armor and go forth determined to restore to mankind the indestructible, the God given privilege of earning our bread in the sweat of our brow.

Speaker Mitchell in the chair.

CANVASS OF VOTES

The Speaker announced that the time had arrived for the canvass of the votes cast for the offices of Governor and Lieutenant Governor at the general election held on November 6, 1934, and announced the President pro tempore's appointments as tellers on the part of the Senate, Stevens of Wapello, Shaw of Pocahontas, and Irwin of Clinton.

Speaker Mitchell announced as tellers on the part of the House, Gallagher of Iowa, Reilly of Dubuque and Ellsworth of Hardin.

The Speaker further announced that, in accordance with statute, Tellers Irwin of Clinton and Gallagher of Iowa would constitute the judges of said canvass.

The Speaker then opened the returns in the presence of the Joint Convention, and the tellers proceeded to canvass the vote for Governor and Lieutenant Governor of the State of Iowa cast at the general election held on November 6, 1934.

Moore of Shelby moved that the Joint Convention now recess until 1:45 o'clock p. m. Thursday, January 17.

Motion prevailed.

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

COMMITTEE ON COMMITTEE CLERKS

The President of the Senate appointed as a committee to examine the committee clerks Senators Anderson, Bell of Des Moines and Beardsley.

REPORT OF COMMITTEE ON COMMITTEE CLERKS

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

Martie Giles—Senator Howard Baldwin.
 Evelyn McGuire—Senator Stevens of Decatur.
 Beryl Eastburn—Senator Shangle.
 Ruth Hunter—Senator Irving H. Knudson.
 Jennie Wickless—Senator D. W. Kimberly.
 Betty Moore—Senator M. Moore.
 Frieda Ingwersen—Senator H. L. Irwin.
 Earlene Raymond—Senator Geo. L. Parker.
 Lea Campbell—Senator E. P. Corwin.
 Cleona Neidt—Senator O. E. Husted.
 Jeanette McElliney—Senator Claire Dewey.
 Hertha Z. Duncan—Senator M. X. Geske.
 Laura J. Smith—Senator Paul Schmidt.
 Kathryn M. Walsh—Senator J. W. Billingsley.
 Virginia Novak—Senator H. J. Grunewald.
 Lola B. Loury—Senator G. W. Patterson.
 Dorcas Shelton—Senator J. E. Doze.
 Guelph Aschenbrenner—Senator Carl Aschenbrenner.
 Edith L. Kennedy—Senator John N. Calhoun.
 Beth Stewart—Senator E. P. Donohue.
 John S. Redd—Senator Millhone.
 Robert Daley—Senator S. D. Goetsch.
 Richard E. Steinbrecher—Senator Jas. M. Bell of Des Moines.
 Carroll White—Senator I. G. Chrystal.
 Wade Stover—Senator Wm. S. Beardsley.
 Katherine Hanson—Senator Leo Elthon.
 Ruth Golwitzer—Senator Chris Reese.
 Hazel Boswell—Senator Claude Stanley.
 Mildred Linn—Senator L. H. Meyer.

Bernette Heggen—Senator A. J. Shaw.
 Lois Stingley—Senator H. D. Miller.
 Phyllis L. Bieber—Senator T. W. Mullaney.
 Harriett J. Lawson—Senator Fred W. Nelson.
 Avice L. McArthur—Senator Wm. McArthur.
 Nellie Garrett—Senator E. I. Mason.
 Katherine Hertert—Senator C. E. Malone.
 La Vaughn Curtis—Senator M. G. Fisch.
 Ruth Humble—Senator Roy E. Stevens of Wapello.
 Adeline O'Boyle—Senator Vincent F. Harrington.
 Helen Joyce—Senator T. F. Driscoll.
 Trenton Smith—Senator John K. Valentine.
 Edna Mae Montgomery—Lieutenant Governor N. G. Kraschel.
 Henry Bell—Senator Andrew Bell of Crawford.
 Don Brown—Senator Paul H. Anderson.

PAUL ANDERSON
 JAMES M. BELL
 WM. S. BEARDSLEY

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

Senator Hopkins moved that by unanimous consent the Senate return to the introduction of bills.

The request was granted.

INTRODUCTION OF BILLS

Senate File 1, by Senator Hopkins, a bill for an act to repeal section seven hundred forty-nine (749) to and including section seven hundred sixty (760) of the Code of Iowa, 1931, relating to official ballots, and to enact and substitute therefor; and to amend section seven hundred seventy-five (775) of the Code, 1931.

The bill was read the first and second times and passed on file.

Senator Kimberly moved that by unanimous consent of the Senate the name of W. P. Jones, as elevator tender, be substituted for George P. Hamilton, which was the intention of the committee, and also asked that the records with reference to George P. Hamilton be so corrected.

The motion prevailed.

Senator Harrington was granted unanimous consent to return to the order of petitions and memorials.

PETITIONS AND MEMORIALS

Senator Harrington, from the members of the Columbia Club of Sioux City, relating to the income tax law.

Senator Harrington, from members of the Progressive Farmers Union of Iowa, relating to the Iowa Mortgage Moratorium Act.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Valentine for the day, on request of Senator Harrington; Senator Stanley for the day, on request of Senator Beardsley; Senator Byers for the day, on request of Senator Baldwin; Senator Wilson for the day, on request of Senator Baldwin.

The Journal of January 14, 1935, was approved.

On motion of Senator Shangle the Senate adjourned until 10:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 16, 1935.

Pursuant to the law, the Senate of the Forty-sixth General Assembly of Iowa met in regular session, President pro tempore Harold L. Irwin presiding.

Prayer was offered by Rev. C. E. Lookingbill of the M. E. church of Nevada.

INTRODUCTION OF BILLS

Senate File 2, by Senator Mullaney, a bill for an act to amend section forty-eight hundred sixty-seven (4867), Code, 1931, relating to the exemption of certain motor vehicles from the state license fee.

The bill was read the first and second times and passed on file.

Senate File 3, by Senator Kimberly, a bill for an act to amend section sixty-nine hundred ten (6910), Code, 1931, relating to the power of cities acting under special charter to purchase property at tax sale.

The bill was read the first and second times and passed on file.

Senate File 4, by Senator Kimberly, a bill for an act to amend sections sixty-eight hundred seventy-three (6873), and sixty-eight hundred seventy-four (6874), Code, 1931, relating to notice of tax sale and cost of publication thereof in special charter cities.

The bill was read the first and second times and passed on file.

During the day the following appeared before the bar of the Senate and were duly sworn as committee clerks:

Carolyn Landfear—Senator Carolyn C. Pendray.

Hazel Ward—Senator Homer Hush.

Robert L. S. Schutt—Senator Roelofs.

Mildred G. Zug—Senator Berg.

As regular help:

Nick Colsch—Assistant Sergeant-at-Arms.

As extra help:

C. C. Dixie Rowe, Mary Kennedy, Margaret Alice Collins.

Senator Reese moved that the Senate remain at ease until the fall of the gavel, which motion prevailed.

The Senate came to order at the fall of the gavel.

Senator Reese asked unanimous consent to return to the introduction of resolutions. The request was granted.

SENATE RESOLUTION 2

A resolution providing for the appointment of a committee to investigate alleged political activity on the part of the executives in the Iowa Soldiers' Home located at Marshalltown, Iowa, and such other conditions existing which an investigation might correct, and said committee to report its findings to the General Assembly.

Whereas, All state and tax supported institutions are presumed to be non-political and in all fairness to the two major political parties in the state should be non-political, and

Whereas, It has come to the attention of certain state officers that the executives of the Iowa Soldiers' Home are alleged to have been active politically during the past several years in violation of the laws of the State of Iowa, and

Whereas, It has been further brought to the attention of state officers that certain conditions exist in the Iowa Soldiers' Home, which conditions might be bettered by virtue of an investigation, now, therefore,

Be It Resolved by the Senate of the Forty-sixth General Assembly:

Section 1. That a committee from the Senate be appointed to investigate the aforementioned alleged political activity and conditions at the Iowa Soldiers' Home.

Sec. 2. That said committee be and is hereby authorized to issue subpoenas for the production of witnesses before it, and to compel the attendance of witnesses and the disclosure of any information said witnesses may possess, and to require the production of books and records, and to fully inquire into any matters relating to said Iowa Soldiers' Home.

Sec. 3. That said committee, upon completion of its investigation and before the adjournment of this Assembly, make a report of its findings to this Senate for such action as the public interest may require.

The resolution was read and passed on file.

Senator Fisch moved the Senate adjourn until 10:00 a. m. Thursday. The motion prevailed.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 17, 1935.

The Senate met in regular session, President pro tempore Harold L. Irwin presiding.

Invocation was delivered by Rev. A. R. Weed of Winterset, Iowa.

PETITIONS AND MEMORIALS

The following petitions were received and filed to be referred to the proper committee as soon as it has been appointed.

Favoring the allocation to the schools of the state, a part of the funds raised by the sales tax, the state income tax, and the corporation tax. Senator Fisch, from residents of Holstein; Senator Fisch, from teachers of Arthur.

REPORT OF COMMITTEE ON MILEAGE

Senator Hush presented the following report:

MR. PRESIDENT: We, your committee appointed to determine the mileage for the Lieutenant Governor and the members of the Senate, submit the following report:

	Miles	Amt.		Miles	Amt.
Lieutenant Governor.....	100	\$10.00	Grunewald	110	11.00
Anderson	96	9.60	Harrington	200	20.00
Aschenbrenner	42	4.20	Hopkins	63	6.30
Baldwin	201	20.10	Hush	150	15.00
Beardsley	42	4.20	Husted	38	\$ 3.80
Bell of Crawford.....	127	12.70	Irwin	190	19.00
Bell of Des Moines.....	168	16.80	Kimberly	181	18.10
Berg	123	12.30	Knudson	60	6.00
Billingsley	33	3.30	McArthur	130	13.00
Byers	132	13.20	Malone	82	8.20
Calhoun	136	13.60	Mason	76	7.60
Chrystal	80	8.00	Meyer	150	15.00
Corwin	159	15.90	Miller	175	17.50
Dewey	116	11.60	Millhone	134	13.40
Donohue	165	16.50	Moore	102	10.20
Doze	60	6.00	Mullaney	265	26.50
Driscoll.....	150	15.00	Nelson	36	3.60
Elthon	140	14.00	Parker	150	15.00
Fisch	222	22.20	Patterson	129	12.90
Geiske	308	30.80	Pendray	180	18.00
Goetsch	225	22.50	Reese	72	7.20

	Miles	Amt.		Miles	Amt.
Roelofs	243	24.30	Stevens of Decatur.....	80	8.00
Schmidt	125	12.50	Stevens of Wapello.....	91	9.10
Shangle	60	6.00	Valentine	90	9.00
Shaw	140	14.00	Wilson	5	.50
Stanley	100	10.00			

HOMER HUSH, *Chairman.*

J. W. BILLINGSLEY.

T. F. DRISCOLL.

Senator Hush moved that the rules be suspended and the report considered at this time, which motion prevailed.

Senator Hush moved the adoption of the committee report. Senator Wilson asked that the vote be by roll call.

The question was, Shall the report be adopted?

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

Ayes, 37.

Aschenbrenner	Donohue	Irwin	Reese
Beardsley	Driscoll	Malone	Schmidt
Bell of	Elthon	Meyer	Shangle
Des Moines	Fisch	Millhone	Shaw
Berg	Geske	Moore	Stanley
Billingsley	Goetsch	Mullaney	Stevens of
Calhoun	Grunewald	Nelson	Decatur
Corwin	Hopkins	Parker	Valentine
Dewey	Hush	Patterson	Wilson
Doze	Husted	Pendray	

Nays, none.

Absent or not voting, 13.

Anderson	Chrystal	Mason	Roelofs
Baldwin	Harrington	McArthur	Stevens of
Bell of Crawford	Kimberly	Miller	Wapello
Byers	Knudson		

Senator Schmidt asked unanimous consent to return to the introduction of bills.

The request was granted.

INTRODUCTION OF BILLS

Senate File 5, by Senator Schmidt, a bill for an act to provide the least number of men that may be employed on switch engines, or engines engaged in switching cars, and the penalty for the violation thereof.

The bill was read first and second times and passed on file.

Senate File 6, by Senator Schmidt, a bill for an act to amend sections thirty-two hundred ninety-d one (3290-d1) and thirty-nine

hundred forty-four-d one (3944-d1), Code, 1931, relating to expenditures for fire protection at certain state institutions.

The bill was read first and second times and passed on file.

Senator Geske moved that the President appoint a committee of five members of the Senate to present recommendations as to the salaries of the employees of the Forty-sixth General Assembly and that this committee confer with a committee from the House in order to make the salaries of similar employees in both houses uniform.

The motion prevailed.

The President pro tempore appointed as members of such committee the following: Senators Geske, Kimberly, Pendray, Stevens of Wapello, Reese.

The following appeared before the bar of the Senate and took the required oath of office:

As committee clerk for Senator Wilson, Grace Zehner.

As extra help, William W. Anderson and Joe Phelan.

As regular help, Fred W. Becker.

As page for Secretary of the Senate, Jimmie Koontz, of Cass County.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Concurrent Resolution 3 authorizing the appointment of a joint investigating committee to investigate the operation of the Iowa Control Act, and the administration of said act by the Iowa Liquor Control Commission.

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

Senate Concurrent Resolution 1, relative to date of adjournment from January 14 to 22, 1935. VIRGIL LEKIN, *Chief Clerk.*

Senator Mason was granted unanimous consent to return to the order of resolutions.

HOUSE CONCURRENT RESOLUTION 3

Whereas, Criticism has been made of the operation of the Iowa Liquor Control Act, passed by the Forty-fifth General Assembly in Extraordinary

Session and of the administration of said act by the Iowa Liquor Control Commission, and

Whereas, It is desirable that a legislative investigation be had, now, therefore,

Be It Resolved by the House, the Senate concurring: That a joint investigating committee of ten (10) members of the Forty-sixth General Assembly be appointed, five (5) of whom shall be appointed by the President of the Senate, three (3) of whom shall be selected from the majority party and two (2) of whom shall be from the majority party, from the members of the Senate; and five (5) of whom shall be appointed by the Speaker of the House of Representatives, three (3) of whom shall be from the majority party and two (2) of whom shall be from the minority party, from the members of the House of Representatives, and

Be It Further Resolved, That said investigating committee be, and it is hereby authorized and directed to investigate the operation of said Iowa Liquor Control Act, and the administration of said Act by the Iowa Liquor Control Commission, to require the Chairman of the Iowa Liquor Control Commission to submit all papers and records, together with all letters and everything connected with the buying and distribution of liquor from the date when they first commenced operating in their official capacity, and to make report of its findings together with recommendations, to the Forty-sixth General Assembly, and

Be It Further Resolved, That each member of the said joint investigating committee shall have the power to subpoena witnesses and administer the oath, and

Be It Further Resolved, That the sum of five hundred dollars (\$500.00) is hereby appropriated for the necessary expenses of the joint investigating committee.

GUSTAVE ALESCH.
C. L. MCKINNON.
C. L. RICE.
JOHN W. MOORE.
A. H. BAUMHOVER.
LAMAR FOSTER.
C. G. JOHNSON.

The resolution was read and passed on file.

The Journal of January 16, 1935, was corrected and approved.

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

AFTERNOON SESSION

Having recessed until 1:30 p. m. the Senate reconvened, President pro tempore Harold L. Irwin presiding.

Senator Mullaney asked unanimous consent to return to the introduction of bills. The request was granted.

INTRODUCTION OF BILLS

Senate File 7, by Senator Mullaney, a bill for an act to repeal section twelve thousand three hundred and seventy-seven (12377), Code, 1931, relating to general executions for balance.

The bill was read first and second times and passed on file.

Senator Baldwin presented for consideration Senate Concurrent Resolution 3.

SENATE CONCURRENT RESOLUTION 3

Be It Resolved by the House, the Senate concurring: That the superintendent of printing be authorized to furnish copies of the Code of 1931, the session laws of the Forty-fifth General Assembly, the session laws of the Forty-fifth General Assembly in extra session, the Annotations of the Code of Iowa, and supplements thereto, the table of corresponding sections of Iowa statute, and the Journals of the Senate and House of the regular and extra sessions of the Forty-fifth General Assembly to the members of the press assigned seats in the Senate and House press galleries.

HOWARD C. BALDWIN.
CHRIS REESE.

Senator Baldwin was granted unanimous consent that the rules be suspended and moved that Senate Concurrent Resolution 3 be considered and adopted.

The motion prevailed and the resolution was adopted.

COMMITTEE FROM THE HOUSE

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

The Senate proceeded to the House under the direction of the Sergeant-at-Arms.

JOINT CONVENTION

The Joint Convention reconvened, Hon. Harold L. Irwin, President pro tempore of the Senate, presiding.

The roll was called.

Those present were, 145:

Alesch	Fisch	Kringlaak	Roelofs
Aschenbrenner	Fishbaugh	Kuester	Rutherford
Avery	Flynn	Laughlin	Ryder
Ayres	Foster	Lookingbill	Schlatter
Baldwin	Freeburn	Love	Schmidt
Baumhover	Frizzell	McArthur	Scott
Beardsley	Fuelling	McGill	Shangle
Bell of Crawford	Fuester	McKinnon	Shaw
Bell of Des Moines	Gallagher	McLean	Shifflett
Benz	Gaughen	McNie	Smith
Berg	Gecke	Malone	Sorg
Billingsley	Goetsch	Maniece	Sours
Blattspieler	Goode	Mason	Stanley
Blue	Groves	Mercer	Stevens of
Bowers	Grunewald	Metcalf	Decatur
Burington	Hansen of	Meyer	Stevens of
Calhoun	Mitchell	Miller	Wapello
Campbell	Hanson of	Millhone	Stewart of
Clark	Appanoose	Mitchell	Calhoun
Copeland	Harrington	Moore of Benton	Stewart of
Corwin	Hendrickson	Moore of	Washington
Cramer	Henningesen	Pottawattamie	Stimpson
Craven	Hickenlooper	Moore of Shelby	Taylor
Cundy	Hopkins	Moore of Taylor	Teter
Cunningham	Hultman	Moore of Wayne	Thies
of Polk	Hush	Moore of	Thiessen
Curtis	Husted	Woodbury	Thompson of
Dancer	Irwin of Clinton	Mullaney	Buchanan
Daniels	Irwin of Lee	Nelson	Thompson of
Dewey	Jenkins	Oehmke	Guthrie
Doran	Johannes	Peaco	Thompson of
Doze	Johnson of	Peel	Pocahontas
Dreessen	Buena Vista	Pendray	Treimer
Driscoll	Johnson of	Putnam	Valentine
Elliott	Hancock	Reese	Weed
Ellsworth	Johnston of Lucas	Reilly	Wieben
Elthon	Kimberly	Rice	Wiese
Evans	Knudson of	Riddle	Wilson
Falvey	Cerro Gordo	Roan	Yager
Felter	Knudson of	Roe	Zeigler
	Hamilton		

Those absent were, 13:

Anderson	Cunningham	McFarlane	Parker
Bonnstetter	of Humboldt	Moore of	Patterson
Byers	Donohue	Harrison	Selby
Chrystal	Hartman	Ove	

The President pro tempore declared a majority of the General Assembly present at the Joint Convention.

The tellers reported as follows:

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 17, 1935.

MR. PRESIDENT AND GENTLEMEN OF THE JOINT CONVENTION: Your tellers, appointed by the President of the Senate and the Speaker of the

House of Representatives to canvass the vote cast for candidates for Governor and Lieutenant Governor, at the election held November 6, 1934, beg leave to make the following report of the total vote cast for

Governor:

Clyde L. Herring.....	468,921
Dan W. Turner.....	394,635
Ira R. Meade.....	1,521
Wallace M. Short.....	37,032
L. J. U. Smay.....	2,193
A. W. Saarman.....	1,866
B. F. Shambaugh.....	1

And the total vote cast for Lieutenant Governor at the election held November 6, 1934:

Nelson G. Kraschel.....	440,261
George W. Patterson.....	374,495
Robert T. Conroy.....	1,387
Arthur Houver.....	23,645
E. R. Mitchell.....	2,145
Arnold A. Sather.....	1,879

All of which is most respectfully submitted.

H. L. IRWIN,
J. P. GALLAGHER,
Judges.

E. O. ELLSWORTH,
ROY E. STEVENS,
ALBERT J. SHAW,
E. H. REILLY,
Tellers..

On motion of Ellsworth of Hardin the report was adopted.

President pro tempore of the Joint Convention announced that Clyde L. Herring, having received the highest number of votes cast for Governor, was duly elected to the office of Governor of the State of Iowa for the ensuing term, or until his successor is elected and qualified, and that Nelson G. Kraschel was duly elected to the office of Lieutenant Governor for the ensuing term or until his successor is duly elected and qualified.

The following certificates were signed in the presence of the Joint Convention.

CERTIFICATE OF ELECTION

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 17, 1935.

This is to certify that upon a canvass in Joint Convention of the two Houses of the Forty-sixth General Assembly of the State of Iowa, of all the votes cast at the general election held November 6, 1934, for the

office of Governor of the State of Iowa, it appeared that Clyde L. Herring received the highest number of all votes cast for any candidate at said election for said office and was thereupon declared duly elected to said office for the term of two years and until his successor is duly elected and qualified.

Signed in the presence of the Joint Convention this 15th day of January, A. D., 1935.

N. G. KRASCHEL,
*President of the Senate and
President of the Joint Convention.*

JOHN H. MITCHELL,
Speaker of the House.

H. L. IRWIN,
Teller of the Senate.

J. P. GALLAGHER,
Teller of the House.

VIRGIL LEKIN,
*Clerk of the House and
Clerk of the Joint Convention.*

CERTIFICATE OF ELECTION

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 17, 1935.

This is to certify that upon a canvass in Joint Convention of the two Houses of the Forty-sixth General Assembly of the State of Iowa, of all the votes cast at the general election held November 6, 1934, for the office of Lieutenant Governor of the State of Iowa, it appeared that Nelson G. Kraschel received the highest number of all votes cast for any candidate at said election for said office and was thereupon declared duly elected to said office for the term of two years and until his successor is duly elected and qualified.

Signed in the presence of the Joint Convention this 15th day of January, A. D., 1935.

N. G. KRASCHEL,
*President of the Senate and
President of the Joint Convention.*

JOHN H. MITCHELL,
Speaker of the House.

H. L. IRWIN,
Teller of the Senate.

J. P. GALLAGHER,
Teller of the House.

VIRGIL LEKIN,
*Clerk of the House and
Clerk of the Joint Convention.*

President pro tempore Irwin then directed the abstract of votes and certificates of election to be filed with the Secretary of State.

Senator Wilson of Polk moved that a committee of five, consisting of two from the Senate and three from the House, be appointed to notify Governor-elect Clyde L. Herring and Lieutenant Governor-elect Nelson G. Kraschel of the official result of the canvass of votes.

Motion prevailed and President pro tempore Irwin named as such committee Senators Wilson of Polk and Malone of Cass, and Representatives Cunningham of Polk, Moore of Shelby and Moore of Benton.

Senator Wilson of Polk, chairman of the joint committee appointed to notify Hon. Clyde L. Herring and Hon. Nelson G. Kraschel of their election to the offices of Governor and Lieutenant Governor, respectively, submitted the following report and moved its adoption.

MR. PRESIDENT: As a committee appointed at the Joint Convention to inform the Honorable Clyde L. Herring and Honorable Nelson G. Kraschel of their election to the offices of Governor and Lieutenant Governor, respectively, we beg leave to report that we have performed the duty assigned to us and that each officer assured us that he stands ready to assume the duties of his office.

GEO. A. WILSON.
C. E. MALONE.
PAUL H. CUNNINGHAM.
E. A. MOORE.
CHARLES D. MOORE.

Motion prevailed and the report was adopted.

The sergeant-at-arms announced the arrival of Governor-elect Clyde L. Herring and Lieutenant Governor-elect Nelson G. Kraschel, accompanied by the Governor's staff.

Governor-elect Herring and Lieutenant Governor-elect Kraschel were escorted to the Speaker's station.

Invocation was delivered by the Rev. Dr. Stoddard Lane of the Plymouth Congregational church, Des Moines, Iowa.

The oath of office was administered to Lieutenant Governor-

elect Nelson G. Kraschel by Hon. John W. Anderson, Chief Justice of the Supreme Court of Iowa.

Lieutenant Governor Nelson G. Kraschel, President of the Joint Convention, presided.

The oath of office was administered to Governor-elect Clyde L. Herring by the Hon. John W. Anderson, Chief Justice of the Supreme Court of Iowa.

Lieutenant Governor Kraschel then presented Governor Herring, who delivered the following message:

GOVERNOR'S INAUGURAL ADDRESS

Mr. President, Mr. Speaker, and Members of the Forty-sixth General Assembly:

I have in your presence, for the second time, taken oath to support, obey, and defend the Constitution of the United States and of the State of Iowa as Governor of this great Commonwealth.

In the ninety years of Iowa state history, but twenty-six of its citizens have been chosen Governor. To be so selected from a population of two and one-half millions is the greatest distinction, save one, that may come to an Iowan.

One would not be human did he not upon such an occasion, have mingled feelings of pride and solemn responsibility. With humility and gratitude, and humbly relying upon being sustained by that Higher Power without which I cannot succeed, I accept these obligations and pledge to you that insofar as my abilities permit, I shall adhere unswervingly to the oath just taken.

Although the clouds of depression are steadily, if somewhat slowly, rising, the responsibilities resting upon this General Assembly are not proportionately lightened. Like those periods of reconstruction following all great catastrophes, the need for courageous, able leadership, is greater than during the catastrophe itself.

The Forty-fifth and the Forty-fifth Extra Sessions of the General Assembly of Iowa, with splendid foresight, and courage, passed some of the most constructive laws ever written into the

statutes of Iowa. With determination and energy they grappled with such perennial, and ever difficult problems as equitable distribution of the tax burden, control of the sale of hard liquor, and governmental reorganization in the interest of economy and efficiency.

As a result of their patriotic, conscientious labors, we have laws today which, in my opinion, provide the most forward looking, equitable distribution of the tax burden; the most scientific and intelligent control of the sale of alcoholic liquors, in effect in any state in the Union.

In addition, there is established the beginning, through the enactment of the Budget and Financial Control Act, of the most far reaching and beneficial reorganization of state government yet to be enacted into law.

Experience in the administration of these measures during the past year, indicates minor amendments and improvements should be given your attention, but in the principles established, the methods employed, and lasting benefits to the State, these measures stand justly unchallenged.

While I shall make definite suggestions of needed new legislation, corrections in laws now upon our statute books should be your first consideration.

One of those most needing correction is the law governing the sale of beer. We have but recently emerged from the blight of prohibition and it is certain that we shall return to that state if present conditions continue. We must write a new law, one that will make it no longer possible for those who are admittedly law violators, to obtain a permit. We should provide that permits be granted only as a privilege, not as a property right, and full authority must be reserved to cancel and terminate any permit for any cause whatsoever. Penalties must be provided in the loss of permit fee, in the loss of bond, and in revocation of permit, so stern as to compel law observance. Residential districts should be kept free from places selling beer. The number of such places must be drastically reduced and placed upon a percentage of population basis. Possession of alcoholic liquors in any place where beer is sold should be sufficient grounds for cancellation of permit.

I have called a conference of representatives of the League of Municipalities, State Sheriffs' Association, State Chiefs of Police, and other law enforcing officers, together with members of the General Assembly selected by the Lieutenant Governor and Speaker, for the purpose of drafting an enforceable beer law.

I believe that after many years of study and discussion of the need for more adequate law enforcement, the time is now here for legislation on that subject. In 1915 the creation of a Department of Public Safety was proposed to the General Assembly by a Legislative Interim Committee. Similar proposals have been made from time to time since then, but for one reason or another none were enacted into law. The appalling increase in highway accidents and fatalities and the alarming increase in major crime has resulted in an universal demand for uniform and effective law enforcement. It is apparent that the chief cause of the breakdown in enforcement is the lack of proper coordination between the various agencies. The system set up to meet conditions of days gone by, is entirely inadequate to meet those of the different and more trying present.

I am glad of the opportunity in this connection to mention the gratifying results of the pioneer work in highway patrolling in Iowa done under direction of the present Secretary of State. The small beginning which has been made indicates the necessity for the creation of an adequate highway safety patrol.

In this state, enforcement of motor vehicle and highway laws and regulations is divided among several state departments. This apparent and serious lack of the enforcement of laws and safety regulations makes the argument for reorganization in this field compelling.

In order to provide for the adequate patrolling of our highways and for the effective coordination in law enforcement groups now operating independently, I recommend the creation of a Department of Public Safety. In making this recommendation it is not my thought that any new powers or functions be created. All of the activities affected by this proposed reorganization are now in operation. At the head of this department shall be a commissioner appointed by the Governor for a term of six years. It shall be the duty of the commissioner and the members of the department appointed by him:

1. To enforce all laws relating to traffic on the public highways of the state.
2. To enforce the laws now administered by, and perform the duties of the State Fire Marshal.
3. To collect and keep available complete information useful for the identification and apprehension of criminals, and perform all the duties provided by law and administered by the Bureau of Criminal Investigation.

It is advisable that in the Department of Public Safety there shall be:

1. A Division of Highway Patrol.
2. A Division of Fire Prevention.
3. A Division of Criminal Investigation.

Aided by the findings of the Brookings Institution's survey of government in Iowa, and by other groups and individuals, the Interim Committee on Reduction of Governmental Expenditures has made a report including recommendations with reference to reform and reorganization of a number of state departments. One of the most vital problems dealt with in the report, and to which I especially direct your attention, is the problem of public welfare. The necessity for reorganization in this field can no longer be ignored.

The government of Iowa, both state and local, has always recognized its obligation to care for its unfortunates. The responsibility for such care has been emphasized during the last few years by reason of the enormous increase in their number. Thus the total of indigent sick, dependent aged, and families on relief rolls, is greater than ever before in the history of our state.

In efforts to discharge our duties in caring for these, we have found that our old methods, suited to other days, are entirely inadequate. Something must be done to improve the organization of our various state and county welfare activities, in order that these problems can be dealt with in a more comprehensive manner.

As long as twenty years ago an interim committee made a report to the Thirty-sixth General Assembly recommending far reaching reform in this and other fields. Nothing has been done with these recommendations except to have them printed, and the problem has gone begging for a solution. Federal authorities are insistent that if relief grants are to continue to be made to the states, statutory welfare agencies must be provided.

When in 1898 the Board of Control was created to manage the affairs of certain welfare institutions and agencies, a forward step was taken toward effective and economical administration. Although they logically belong there, a number of other welfare departments then existing, or since created, were not placed under this same management.

The need for coordination in the interest of greater efficiency and economy is especially apparent when we consider that the problem under discussion is not an isolated one nor one of short duration.

In order then, that welfare may be more efficiently administered and related services coordinated, I recommend to your earnest attention legislation providing for the following changes in state welfare organization: (1) The creation of a State Department of Public Welfare under the supervision of a State Board of Public Welfare. I recommend that this Board shall have general power, authority and responsibility for the management and development of all existing state welfare institutions and agencies, including those now under the Board of Control and those independent of that Board.

(2) It is my thought that this State Board of Public Welfare should be composed of three members appointed by the Governor for terms of six years.

(3) I recommend further that the Board appoint a State Director of Public Welfare, to serve without term and during its pleasure. This State Director of Public Welfare should be entrusted with general administrative authority by the State Board.

As Governor for the past two years, during which time the problem of care and relief of unfortunates in the counties, has come to my attention with ever increasing pressure, I have become intensely aware of the need for reorganization in county welfare work.

From my own experience and observation I recommend to your attention the following necessary changes in county welfare administration: (1) The creation in each county by local authority of a County Welfare Board similar to the present County Emergency Relief Committees. All members of the County Welfare Board should serve without pay but should receive their actual expenses. (2) The County Welfare Board should in general administer local welfare. (3) The County Welfare Board of each county, or County Welfare Boards of adjoining counties

by agreement, shall appoint a County Director of Public Welfare as its executive officer.

A number of counties already have made a good start by voluntary cooperation of the various existing agencies and nearly all of the counties have employed a county welfare worker. The comparative success of work in such counties lends unanswerable argument for this proposed reorganization. I do not recommend the creation of a single new power or agency. All the duties and responsibilities dealt with in this recommendation now exist. It is intended merely to reorganize the various welfare activities of the state and county with a view to greater simplicity, avoidance of wasteful duplication of services and cost, and increased efficiency and economy. I can assure you that substantial savings in money can be effected under this proposed plan, and of more significance, the possible savings in human resources are incalculable. I am convinced that the people of this state look to this General Assembly for early action along the lines outlined above.

While I realize that recommendations are always advanced against increasing executive authority, yet it is apparent that there is an inconsistency when an officer is charged with definite responsibilities and is given no proportionate grant of authority with which to meet such responsibilities.

The Supreme Court of the United States has held that the meaning of the term "executive power" includes not only the appointment of executive subordinates, but also their removal, and that the power of removal is essential to the execution of laws by an executive officer. By our Constitution the Governor is made the chief executive and he is charged specifically to "take care that the laws are faithfully administered." By statute he is given the power to select those who are to assist him in the administration of the law. But no corresponding power of removal has been granted. Many of our neighboring states recognize the faults of such a system and have definitely given to the Governor the power of removing appointed officers. I believe that your Governor should be held responsible to the people for the proper administration of those departments under appointive heads, and that the grant of power of removal is essential if such responsibility is to be effectively discharged.

Each two years your Governor comes before the electorate for the acceptance or rejection of his administration. Certainly, if

democracy means anything, such frequent referenda are a sufficient safeguard against abuse of the trust imposed upon him.

Our present highway law provides for a State Highway Commission composed of five members and does not definitely provide that they shall be full time appointments. With an investment and personnel equalling some of our great railways systems, I recognize the need for competent and sufficient supervision. However, we have completed the larger part of a vast building program and, in my opinion, the purposes of administration will be better served by a full time commission of three, rather than the present commission of five. I believe the responsibility for policy and program should rest upon the appointed commissioners to a greater degree than in the past.

Now that the Supreme Court of the United States has declared valid a graduated special tax upon chain filling stations and chain stores, Iowa should delay no longer in levying such a tax. We should welcome and always properly protect investments from outside the state, but I believe Iowa merchants who have helped to build our cities and towns, and contributed their full share as good citizens, should be given some degree of protection against competition which does not make like contribution to the general welfare.

Contemplating the various readjustments in our social life already under way, and which the future holds, we recognize the large part which education must play. Appreciation is due our schools for the splendid manner in which they have taken up the emergency education program in both its social and educational aspects. Through this cooperation not only has employment been provided for unemployed teachers, but also an opportunity has been accorded our people to study modern social, economic and political problems in adult education centers. This program has also provided free school opportunities, together with physical and social welfare for children from homes on relief.

Realizing that the problems of our schools require careful planning and study, I recommend that included in the organization by statute of a State Planning Board without compensation, already referred to in the previous message, education be one of the major phases of the Planning Board program.

Two years ago the Forty-fifth General Assembly passed moratorium laws for the protection of distressed farm and home owners. Under the operation of these laws thousands of evictions

have been averted and millions of dollars in federal refinancing of Iowa farms and homes has been made possible. Debtors who dealt fairly with their creditors have been protected, and at the same time creditors have been protected against unfair debtors. Courts have sustained the validity of this legislation. As we emerge from the depression, and values of Iowa real estate increase, the pressure upon the debtor is intensified. Thousands of debtors in Iowa need a continuance of this protection, and I urge that the present moratorium laws be extended for two years from their present expiration date—March 1, 1935.

Because we produce nearly one-fourth of all hogs raised in the United States, and since forty-one per cent of the Iowa farm dollar is derived from pork production, the important changes the swine industry is now undergoing are particularly important to Iowa. It is economically sound for packing plants to be located in the producing sections and the phenomenal growth in the Iowa packing industry in the last decade has brought about such a change in marketing that the federal government has taken recognition of its importance. While sixty per cent of Iowa hogs are now handled in Iowa packing plants, it would be desirable if all of our hogs were processed within the state. The large central markets are diminishing in importance to the Iowa producer, and, with the growth of our small markets, it is our responsibility to provide adequate marketing supervision. Such a program, wisely planned and carefully administered, will result in mutual benefit to both the Iowa hog producer and the Iowa packing industry.

I recommend the consolidation of the Fish and Game Commission and the State Board of Conservation. Each has in the past rendered a most worthy service, and yet the work of the two is so closely related that much overlapping of effort will be avoided by administration under one unit. The various federal projects carried forward during the last few years, in cooperation with our Fish and Game Commission and Board of Conservation, have made the duplication and waste of effort in the matter of accounting, law enforcement, technical service, planning, public relations, and federal cooperation especially apparent. In view of the federal conservation program, and the grants which are being made, the closest and most efficient cooperation by the state is necessary.

Under the proposed plan of consolidation, revenues including

license fees, and other income which has heretofore supported the Fish and Game Commission, will continue to be received and expended by the division which takes over all of the duties of the present Fish and Game Commission. The conservation and development work, which has heretofore been under the authority of the Board of Conservation, will be under a division of conservation and supported as heretofore. Federal grants will be allocated to that division under which work to be done properly belongs, and conflict of authority between two commissions doing similar work will be eliminated. The proposed plan of consolidation has been carefully studied and has the endorsement of the two commissions affected.

A comparison of prices charged for liquor by the Iowa Liquor Control Commission with those charged in surrounding states for merchandise of the same brand and kind, shows that Iowa prices are generally lower. Even with the reasonable prices charged, the Commission during the first six months operation, with only a small number of stores open during most of that time, showed a profit of \$556,000. This indicates an annual balance of upward of \$1,500,000. I think it undesirable that this money accrue to the State General Fund. I recommend that the earnings of the Iowa Liquor Control Commission be credited to the Old Age Assistance fund for distribution to the needy under the provisions of that act. It is my thought that if old age pension legislation is enacted by the United States Congress at this session, as seems probable, it will provide for the matching of State old age pension funds with Federal funds. My proposal will supply additional immediate cash to help alleviate the present shortage in the Iowa pension fund, and when Federal funds are available the total will be sufficient to administer adequately the Iowa pension act and make possible then the repeal of the present head tax, which is difficult of collection.

As has been my custom, I am not at this time making reference to all of the subjects which, in my opinion, should have the earnest consideration of this General Assembly. With your permission, I shall from time to time address you upon other matters.

Recognizing that all legislation is usually accomplished by compromise, and acknowledging the splendid cooperation as well as the valuable advice and assistance given me by the members of the General Assembly with which I have been permitted to serve, I ask a continuation of that cooperation, and assure you

at the outset that I have no misconception as to my own limitations.

The minutes of the Joint Convention were read and on motion of Putnam of Pottawattamie, were approved.

Senator Knudson of Hardin moved that the Joint Convention be now dissolved. Motion prevailed.

The Senate returned to the Senate Chamber and resumed regular session, President pro tempore Harold L. Irwin presiding.

REPORT OF COMMITTEE ON RENTAL OF TYPEWRITERS

Senator Knudson presented the following report:

MR. PRESIDENT: Your special committee appointed to consider the matter of typewriter rentals for the Forty-sixth General Assembly begs leave to report that they have had the same under consideration and recommend that typewriters now in use by the Senate, and additional machines that may be required, be secured from the Gaar Bros. Typewriter Company of Des Moines, Iowa, on a rental basis of \$5.00 each for the period of the entire session; also that the State should assume responsibility for broken, stolen or destroyed machines.

IRVING H. KNUDSON.

HOWARD C. BALDWIN.

CARL ASCHENBRENNER.

Senator Knudson asked that by unanimous consent the rules be suspended and the report adopted.

Consent was granted and the report was adopted.

Senator Valentine moved that the Senate Journal be corrected to conform with the minutes of the joint convention of the Senate and House of Representatives, as approved in joint convention of the Forty-sixth General Assembly.

The motion prevailed.

REPORT OF INTERIM COMMITTEE

To Honorable Clyde L. Herring, Governor of the State of Iowa,
To the President of the Senate,
To the Speaker of the House of Representatives, and
To Members of the 46th General Assembly:

Pursuant to authority conferred by the 45th General Assembly under Chapter 270 of the Acts thereof, your committee has made a study of taxation and governmental reorganization with a view to a more equitable distribution of the tax burden and to a greater efficiency and economy in necessary governmental functions. Real-

izing the need for all unbiased information available, your committee enlisted the aid of the Brookings Institution of Washington, D. C., of various civic organizations and groups, of the personnel of the state institutions, and of many individuals interested in governmental problems.

Taking full advantage of information obtained from the above sources, specific recommendations were made to the 45th General Assembly, dealing with fiscal affairs of the state government. The Budget and Financial Control Act, passed by said assembly upon the recommendation of this committee, reorganized and coordinated the budgeting, accounting, and disbursing methods so that a constant check is had at all times on the expenditures of the several divisions of state government, and such expenditures are strictly limited to available collections and actual needs. Conservative estimates place the savings effected by the enactment of this legislation at not less than two million dollars per year.

The State Audit Act, also recommended by this committee, gave to the people an effective check upon the expenditure of funds by state officials, and made the Auditor of State responsible for the discharge of such duties as intended when that office originally was created by the Constitution. In addition, other functions heretofore exercised by the Auditor of State, but with no logical place in that office, were transferred to their proper departments.

In preparation for the 45th General Assembly in Extraordinary Session, called by the Governor for the primary purpose of enacting tax revision legislation, your committee prepared and recommended a property relief act, by the enactment of which the tax burden in Iowa was distributed more equitably, and a breakdown in property tax collection avoided. Through the yield from this act, the levy on property for state purposes has been eliminated and local property taxes substantially reduced. This and future general assemblies should never forget that passage of this legislation and its acceptance by the people were possible only because its purpose was substantially to replace property taxes.

Further legislation dealing with a number of subjects is considered by this committee to be necessary and desirable, and it is urged that the 46th General Assembly enact appropriate legislation along the lines hereinafter recommended. It is the suggestion of the committee that the President of the Senate and the Speaker of the House of Representatives refer this report, or parts thereof, to appropriate standing legislative committees for study and action. Your committee will make available to such standing committees data relative

to the subjects dealt with in this report, together with tentative drafts of bills, for their consideration.

PUBLIC WELFARE

The problem of human welfare, considered in its broadest terms, has been with us since the beginning of Iowa history. At first such was thought of as merely a local problem, and local units of government, namely, the county and township, assumed almost all responsibility. Gradually, however, the state has recognized its obligation to care for at least a portion of its unfortunates. In the year 1898 the Board of Control was created to centralize institutional management, and at that time and subsequently the following institutions were placed directly under the control of that board:

Soldiers' Home at Marshalltown

Tuberculosis Hospital at Oakdale

Juvenile Home at Toledo

Soldiers' Orphans' Home at Davenport

Training Schools at Eldora and Mitchellville

State Hospitals at Cherokee, Clarinda, Independence, and Mt. Pleasant

Home for Epileptic and Feeble-Minded at Woodward

Institute for Feeble-Minded at Glenwood

State Penitentiary at Fort Madison

Women's Reformatory at Rockwell City

Men's Reformatory at Anamosa

Children's Bureau

Inspection Service for county and private hospitals caring for insane

Parole Division for State Training Schools

Such related institutions as

Board of Parole

Commission for the Blind

State Board of Eugenics

State Emergency Relief Committee, and

Old Age Assistance Commission

were placed at the time of their creation under separate governing bodies, although more logically all should be under the same central control. In addition to such decentralized control, there has been a lack of coordination of related welfare services, even under the Board of Control. The opportunity for a substantial saving through increased efficiency in management and improved coordination of services is self-evident when it is remembered that normally

26 per cent of the operating expenses of the state, exclusive of highway costs, are incurred for welfare services.

The need for improved organization has become increasingly apparent since 1930 because of an increase in the welfare load. Thus the number of indigent sick has increased, juvenile delinquency and adult crime has mounted, nervous disorders and insanity are more prevalent, the number of dependent aged is larger than at any time in the past, and the number of family heads on relief rolls is greater than ever before in the history of our state. A beginning has been made toward the solution of the present relief problem by the creation of a temporary State Emergency Relief Committee. Too often this problem is considered to be isolated and of short duration, when as a matter of fact it is neither isolated nor will it disappear within a short period of time. Widespread destitution, as the result of unemployment, will for years to come be reflected in greater demands upon all of the state's welfare institutions and agencies.

The same lack of coordination is found in the administration of welfare by the county. Under the present system, we find in most counties that

- Relief to indigents inside city limits
- Relief to indigents outside city limits
- Relief to quarantined indigents inside city limits
- Relief to quarantined indigents outside city limits
- Relief to ex-service men and their families
- Relief to able-bodied unemployed in city and county
- Blind pensions
- Old age pensions
- Widows' pensions
- Probation service for Juvenile and District Courts
- County Home
- County Insane Hospital
- Juvenile Detention Home
- Medical care to sick poor in their homes within city or in county institutions, and
- Admissions to State University Hospital

are administered by twelve separate and distinct boards, with little or no coordination. Here, too, the opportunity for saving is obvious when we remember that normally 18 per cent of the gross county governmental cost is accounted for by these services.

The savings through increased efficiency in administration and improved coordination in state and county welfare cannot be measured adequately in dollars and cents, although such will be sub-

stantial. The real and enduring savings will be measured in terms of human values, which it is the highest duty of the State to establish.

In order that welfare be more efficiently administered and related welfare services coordinated, it is recommended that an act providing for the following changes in state welfare services be passed:

I. The creation of a State Department of Public Welfare, to have general supervision and control over all state welfare institutions and agencies, under the direction of a State Board of Public Welfare and a State Director of Public Welfare. Said Board shall have general power, authority, and responsibility for the care and management, conduct, maintenance, and development of all existing welfare institutions and agencies of the state, including those not now under the jurisdiction of the Board of Control. The State Board of Public Welfare shall consist of three members appointed by the Governor, not more than two shall be members of the same political party, shall be appointed initially for two, four, and six years, and for six years thereafter as vacancies occur. The members shall receive no salary other than ten dollars per day for time actually spent in performance of duties, not to exceed a total of one thousand dollars per year, and shall receive their actual expenses.

The State Director of Public Welfare shall be appointed by the State Board of Public Welfare, and shall have had practical experience in public welfare work. Said Director shall serve without term and during the pleasure of the Board, and shall receive a salary not to exceed \$4,500.00 per year. With the approval of the Board, the Director shall appoint qualified persons as heads of the divisions hereinafter referred to and also all superintendents, managers, or chief executives of the state welfare institutions and agencies.

II. The State Director of Public Welfare shall be entrusted with general administrative authority by the State Board of Public Welfare, and he shall be answerable to said Board as its executive officer in the carrying out of the Board's policies; he shall faithfully and properly perform all of the duties and obligations of his office, act as secretary of the Board, keep the Board fully informed concerning the condition, status, and functioning of all divisions, institutions, and agencies of the Department; recommend to the Board such administrative changes and other procedure as he or it from time to time may deem expedient; prepare and submit to the Board for its final approval the annual, quarterly, or monthly

budget of expenditures for all of the divisions, institutions, agencies, and branches of the Department; make recommendations concerning all requests and any and all applications of any county, city, district, state, or other state, federal, regional or other agency of government for funds which the Board is empowered to grant.

III. Within the State Department of Public Welfare there shall be created the following divisions:

A. A Division of County Welfare and Relief, which shall have charge of the development and supervision of county welfare units, the defining of personnel standards for local welfare work, the certification of workers, and the direct administration of all state relief funds and all other relief funds made available to the local subdivisions of the state. This Division shall have general supervision over all local institutions and agencies of a charitable nature. This Division shall administer the provisions of the Old Age Assistance Act.

B. A Division of Child Welfare, which shall exercise general supervision over and report the condition of all child-caring agencies or institutions, boarding homes for children, maternity homes, and the like, in the state, supervise the operation of the four state children's institutions at Eldora, Mitchellville, Toledo, and Davenport, develop foster homes and boarding homes, and, in general, be charged with all the child welfare duties and responsibilities of the state government. This Division shall cooperate with the Children's Hospital and the Child Welfare Research Station under the Board of Education.

C. A Division of Mental Hygiene, which shall supervise the operation of the state hospitals for the insane and epileptic and the training schools for the feeble-minded, and develop a state mental hygiene program in connection with the state hospitals and in cooperation with the Psychopathic Hospital at the University. The latter shall include a state-wide clinical service developed through the state hospitals and such educational and preventive measures as may be conducive to the control of mental illness and defects.

D. A Division of Correction, which shall supervise the operation of the three penal institutions, have charge of the parole of all prisoners from these institutions, and, directly and in cooperation with local authorities, supervise all

parolees from these institutions and all persons assigned to it by the courts.

E. A Division of the Handicapped, which shall have charge of the care, supervision, and training of the blind, deaf, crippled, and otherwise afflicted not already provided for in the educational institutions of the state, and shall concern itself with preventive plans and programs in this field.

F. A Division of Industries and Equipment, which shall have supervision over the construction and maintenance of all institutions under the control of the Department and over the development of institutional industries, agricultural activities, and the marketing of institutional products. This Division shall perform such other duties as may be necessary and desirable for the effective and economical administration of the several plants.

IV. The State Board of Eugenics shall be abolished and its responsibilities and duties transferred to the State Board of Public Welfare, Division of Mental Hygiene.

The State Board of Parole shall be abolished and its responsibilities and duties transferred to the State Board of Public Welfare, Division of Correction.

The Commission for the Blind shall be abolished and its duties and responsibilities transferred to the State Board of Public Welfare, Division of the Handicapped.

The duties and responsibilities of the State Emergency Relief Committee, or any portion thereof, may be assumed by the State Board of Public Welfare, Division of County Welfare and Relief.

The duties and responsibilities of the Old Age Assistance Commission shall be transferred to the State Board of Public Welfare, Division of County Welfare and Relief.

In addition to benefits apparent from the above recommendations as to reorganization, it should be kept in mind that the National government, through its Federal Emergency Relief Administration, has suggested reorganization of welfare services, and will undoubtedly insist upon immediate legislation to that end, if the granting of federal relief funds to Iowa is to continue.

It is recommended by your committee that the following similar and necessary changes be made in county welfare administration:

I. There shall be created in each county a County Welfare Board, to consist of one member of the County Board of Super-

visors, who shall be elected each year by the Board of Supervisors, and two citizens, who shall be appointed by the judges of the district court in the county where the appointments are to be made. Said judges shall also have the power of removal for cause. These two citizens shall not be members of the same political party, and shall appointed for two years, so that the term of one of the citizen members shall expire each year. All members of the County Welfare Board shall serve without pay, but shall receive their actual and necessary expenses.

II. The County Welfare Board shall administer poor relief of all kinds as hereinafter specified, except hospital medical care in counties having boards of county hospital trustees, and the administration of relief for soldiers, sailors, and marines:

A. To provide food, fuel, clothing, medical attendance, and other forms of relief.

B. To administer Old Age, Blind, and Widows' Pensions, and to aid indigent tubercular patients.

C. To operate the County Home, County Insane Hospital, Juvenile Detention Home, and such other county institutions as provide support to the poor.

D. To determine eligibility for state care of all patients sent to the State Hospital at Iowa City.

E. To provide probation service for the juvenile and district courts in the county, and to supervise all patients or inmates paroled from state institutions and residing in the county.

All authority and duties relating to the support of the poor which heretofore have been administered by the Board of Supervisors, Township Trustees, local Board of Health, and Old Age Assistance Board shall be transferred to the County Welfare Board.

III. The County Welfare Board of each county, or the County Welfare Boards of adjoining counties by agreement of their respective Boards, shall appoint a County Director of Public Welfare, subject to the approval of the State Director of Public Welfare, who shall have had practical experience in social work, and who shall be the executive officer of the County Board. Said Director shall appoint such assistants, subject to the approval of the County Board, as may be necessary. The salaries of said Director and assistants shall be fixed by the County Board, subject to the approval of the County Board of Supervisors.

PUBLIC SAFETY

One of the most urgent problems to which your committee has addressed itself is the obvious necessity for an adequate state patrol system on our highways. The appalling increase in highway accidents and fatalities due to widespread violation of the laws of the road, has resulted in an almost universal demand on the part of the public that legislation be enacted to correct this very serious condition. Everyone has observed that incidental to the development of our excellent highway system there has been an alarming increase in major criminal operations. Machinery for law enforcement has not kept pace with the increased opportunities for law violations.

The creation of a Department of Public Safety was proposed in 1915 by a legislative interim committee to the 36th General Assembly after an exhaustive investigation. Similar proposals have been made from time to time since and the whole problem widely discussed by an interested public. Authorities in this field are universally agreed upon the need for better coordination between enforcement agencies. A number of states have adopted highway patrol systems. Investigation by your committee of these systems indicates that they are producing satisfactory and desirable results. We have found that the cost of accidents, loss of life, and crime is so enormous that the expense of an adequate highway patrol is insignificant by comparison.

At the present time in this state, enforcement of motor vehicle and highway laws and regulations is divided among several state departments, such as the Motor Vehicle Department of the Secretary of State's office, the Board of Railroad Commissioners, and the State Highway Commission. It is quite apparent that there is a serious lack of coordination in the enforcement of such laws and regulations because of the overlapping of authority, duplication of effort, and absence of proper regulation in some directions.

A similar condition exists with reference to the office of the State Fire Marshal and the Bureau of Criminal Investigation of the Attorney General's office.

In order to provide for the adequate policing of our highways and for the proper coordination between enforcement groups now operating independently, it is recommended that:

I. A Department of Public Safety be created, which shall consist of a commissioner as its executive head, and such other

officers and employees as may be necessary. The commissioner shall be appointed by the Governor for a term of six years, and he shall appoint such deputies, office employees, and officers as may be required for proper discharge of the duties of the Department.

II. It shall be the duty of the commissioner and members of the Department to:

A. Enforce all laws relating to traffic on the public highways of the state, including those regulating the weight, speed, and operation of vehicles; to enforce the laws relating to drivers' and motor vehicle licenses and truckers' and carriers' licenses, permits, and certificates; to see that proper safety rules are observed, and to give first aid to the injured.

B. To investigate all fires; to apprehend persons suspected of arson; to enforce all safety measures in connection with the prevention of fires; and to disseminate fire prevention education.

C. To cooperate with wardens in the enforcement of the fish and game laws of the state.

D. To collect and classify, and keep at all times available, complete information useful for the detection of crime, and the identification and apprehension of criminals. Such information shall be available for all police officers within the state, under such regulations as the commissioner may prescribe.

E. Said commissioner and members of the Department shall also have the power to arrest, without a warrant, any person committing or attempting to commit within their presence or view a breach of the peace or other violation of the law; to serve and execute warrants of arrest or search issued by proper authority; and, in general, to exercise the powers of other police officers of the state.

III. The Department of Public Safety shall be authorized to conduct a training course, similar to that now conducted, for the instruction of law enforcement officers of this state, including members and prospective members of the Department and of the counties, townships, cities and towns.

IV. In general, the allocation of duties of the Department of Public Safety shall be as follows:

A. Division of highway safety and uniformed force.

- B. Division of fire protection.
- C. Division of criminal investigation.

V. The above recommendations contemplate the transfer to the Department of Public Safety of the following:

A. The enforcement of laws and regulations relating to traffic on the public highways of the state, to the weight, speed, and operation of vehicles, to drivers' and motor vehicle licenses, to truckers' and carriers' licenses, permits, and certificates, and to headlight lenses, now under the Motor Vehicle Department of the Secretary of State's office, under the State Board of Railroad Commissioners, and under the State Highway Commission.

B. All of the powers and duties of the State Fire Marshal relating to arson and fire prevention, and of the Labor Commissioner relating to fire escapes.

C. All of the powers and duties of the Bureau of Criminal Investigation of the Attorney General's office.

VI. The expense of this Department shall be met in the following manner.

A. The expense of the division of fire protection and its proportionate share of administrative cost, by legislative appropriation as in the past.

B. The expense of the division of criminal investigation and its proportionate share of administrative cost, likewise by legislative appropriation as in the past.

C. The expense of the division of highway safety and uniformed force and its proportionate share of administrative cost, by legislative appropriation of a portion of funds to be raised by a proper ton-mile tax imposed for commercial use of highways.

STATE PURCHASING AGENCY

The operation of the Budget and Financial Control Act has indicated the desirability and necessity of the application of business methods to state government. The next logical step in that direction is the establishment of a state purchasing agency. Estimates of the savings made possible by such legislation range from five to fifteen per cent of the total cost of purchases. While a number of state boards and commissions have purchasing plans, yet most of the purchasing by the departments of state government is not safe-

guarded by a uniform procedure and proper supervision, and the tremendous savings as a result of combined purchasing are not possible under our present system.

Accordingly, it is recommended:

I. That there be established in the office of the State Comptroller a State Purchasing Agency, the head of which shall be the State Purchasing Agent. The State Purchasing Agent shall be appointed by the Comptroller, subject to the approval of the Governor, and shall receive such salary and give such bond as may be fixed by the Comptroller. The State Purchasing Agent shall hold office until his successor is appointed or until his resignation or removal for cause. The State Purchasing Agent shall have had experience in purchasing and be of recognized skill and familiar with the mercantile trade and with the laws of Iowa. The State Purchasing Agent shall be subject to removal by the Comptroller. During his tenure in office, the State Purchasing Agent shall have full power and jurisdiction over all purchasing, as hereinafter defined, which is done by or in behalf of the state or any officer, department, board, or commission, with the exceptions hereafter noted as to the proposed State Board of Public Welfare, the State Board of Education, the State Highway Commission, the Iowa Liquor Control Commission, the State Fair Board, and the proposed State Conservation Commission.

II. That the proposed State Board of Public Welfare, the State Board of Education, the State Highway Commission, the Iowa Liquor Control Commission, the State Fair Board, and the proposed State Conservation Commission shall select and appoint, on the basis of qualifications for such position and responsibility, a Purchasing Agent or Agents, to receive such salary and to give such bond as the respective board or commission in each case shall determine and direct. Each Purchasing Agent so appointed shall hold office until his resignation or removal for cause.

III. That the powers and duties of the several purchasing agents, including the State Purchasing Agent, shall be as follows:

A. To purchase or contract for all services, tenancies or rented quarters, printing, repairs and cleaning of chattels or of buildings, lands, buildings, instruments, equipment, supplies, animals, and other property required for the carrying on of any duty of any state officer, employee, or board, commission, or agency of the state government.

B. To enforce standard specifications which shall apply to all services, supplies, materials, and equipment to be purchased.

C. To have charge of all general storerooms, garages, or similar depots.

D. To make and keep a perpetual inventory of all supplies in any and all general storerooms, garages, and depots, and to keep a perpetual inventory of all equipment.

E. To make and keep records and reports, open to public inspection, showing all items purchased and services contracted for, prices paid, and in any case where special prices may have been quoted, any special reasons given for the same.

F. To meet for conferences at quarterly intervals in the months of December, March, June, and September with the other Purchasing Agents for the purpose of exchanging information of general interest concerning prices, stocks, commodities, appliances, machines, equipment, markets, purchasing procedure, and other matters which may tend to make for efficiency and economy in expenditures of state funds.

G. It shall be the duty of the State Purchasing Agent to collect, compare, and summarize market information and to distribute the same among the other Purchasing Agents, and to make annual reports concerning the same and concerning other matters of permanent interest concerning prices, rents, services, qualities, and the like, to the State Comptroller.

H. It shall be the duty of the several Purchasing Agents to file in the office of the State Purchasing Agent a monthly report giving a summary of all items purchased and services contracted for, and the prices paid therefor.

IV. Each of the several Purchasing Agents, with the approval of the officer, board, or commission by which he is appointed, and with the approval of the State Purchasing Agent, shall adopt, promulgate, and from time to time amend and revise rules and regulations pertaining to purchases under his power or jurisdiction.

V. All purchases shall be based, whenever possible, on competitive bids. If the amount of the purchase is to exceed \$1,000.00, sealed bids shall be solicited by public notice. All orders awarded shall be to the lowest and best responsible bidder, taking into consideration the quality of articles to be supplied and their suitability. Any and all bids may be rejected.

Each bid, with the name of the bidder, shall be entered on a

record, which shall be open to public inspection after the award of the contract or order.

VI. Any purchase or contract contrary to these provisions, rules, and regulations, shall be void, and if paid for from state funds, the amount thereof shall be recovered in the name of the state in an appropriate action instituted therefor against the officer, board, commission, or agency of the state government making the unlawful contract or purchase.

COUNTY PURCHASING

To make possible in the counties the same saving as will result from the establishment of a state purchasing agency, your committee recommends:

I. That the Board of Supervisors shall appoint as County Purchasing Agent the County Auditor or a deputy county auditor.

II. That said County Purchasing Agent shall have authority and it shall be his duty to purchase or contract for all supplies, materials, equipment, and contractual services required by all officers, departments, or agencies of the county, and shall transfer between county officers, departments, and agencies, or sell, supplies, materials, and equipment which are surplus, obsolete, or unused.

III. That all purchases of, and contracts for, supplies, materials, equipment, and contractual services, and all sales of such personal property which has become surplus, obsolete, and unusable, shall be based, wherever possible, on competitive bids. If the amount of the expenditure or sale is estimated to exceed one thousand dollars, sealed bids shall be solicited by public notice.

All purchase orders or contracts made by the County Purchasing Agent or by any county officer, department, or agency shall be awarded to the lowest and best bidder, taking into consideration the qualities of the articles to be supplied, their conformity with the specifications, their suitability to the requirements of the county government, and the delivery terms. Any or all bids may be rejected. Each bid, with the name of the bidder, shall be entered on a record, and such record, with the successful bid indicated thereon, shall be open to public inspection.

A record of purchases, in whatever amount, listing the person or firm from whom purchased, date of purchase, and price paid, shall also be kept, and shall be open to public inspection.

IV. That whenever any officer, department, or agency of the county shall purchase or contract contrary to the above provisions, such order or contract shall be void and of no effect.

Neither the County Purchasing Agent, nor any other county official, shall be financially interested in any contract or purchase order; nor shall they accept or receive, directly or indirectly, from any person, firm, or corporation to which any contract or purchase order may be awarded, by rebate, gifts, or otherwise, any money or anything of value whatsoever, or any promise, obligation, or contract for future reward or compensation.

BUDGET CONTROL

The levy and collection of state and local taxes is only half of the problem of public finance, the other half being budget control and well coordinated financial administration. In the case of state finance, the Budget and Financial Control Act was a long and necessary step in the right direction, but the best results of this general plan can be secured only by well devised state purchasing elsewhere recommended. In the case of local finance, local budget procedure is the proper method, subject to appeal by a group of taxpayers to a state board for final decision in controversial cases.

The legislative interim committee of 1923 recommended this plan to the special session on code revision in 1924. The General Assembly during that special code session made three long steps forward in state and local budget control, as follows:

First, the enactment of a local budget law, which now appears as Chapter 24 of the Code, 1931;

Second, providing for an appeal by a group of taxpayers for the decision by state authority in the case of public contracts and bonds, which then appeared as Chapter 23 of the Code, 1924;

And finally, the adoption of a state budget system administered by a budget director.

The most important recommendation of that interim committee, which provided for an appeal in the case of local levies, was defeated by the General Assembly.

In substantially this form the local budget law was administered until 1929, when a series of amendments almost completely destroyed the effectiveness of the Contract and Bond law, which still appears as Chapter 23 of the Code. However, during the five-year period, two million dollars were saved, and such savings would have continued had the chapter not been amended in 1929.

For a period of five years beginning with 1924, we have had, excepting for the absence of a right of appeal, one of the best local budget control laws of any state in the Union. Based on our own experience and that of the states of Indiana, Michigan, and New Mexico, it would appear that the wise plan is to re-enact Chapter 23 substantially as it existed in the Code of 1924, with the provision, however, that the appeal shall be to a committee composed of the Comptroller, Auditor of State, and the chairman of the State Board of Assessment and Review, rather than to the budget director; and to add the right of appeal by a group of taxpayers from the decision of a local certifying board to said committee for final decision, similar to the appeal to the budget director suggested by the interim committee of 1923. Such recommendation, in brief, was that any ten freeholders, upon the filing of a petition with the County Auditor, could appeal to the budget director, and a decision affirming or decreasing a budget or levy, or any item thereof, was final.

To carry to its logical conclusion the work begun in the 45th General Assembly by the passage of the Budget and Financial Control Act, and continued in the 45th Special Session through the enactment of the tax revision measure, this committee recommends a revision of Chapter 23, Code of 1931, and amendments to Chapter 24, Code of 1931, as suggested above.

CONSERVATION

We recommend the merger of the Fish and Game Commission and the Board of Conservation. It is appreciated that each has in the past rendered a distinct service, and yet the work of the two departments is so closely related that much duplication of effort can be avoided by their consolidation under one administrative unit. Duplication is particularly apparent in the matter of accounts, enforcement, technical advisement, planning, engineering, projects, public relations, and federal cooperation. The need for consolidation into a single unit is all the more necessary in view of the future federal conservation program, making desirable the closest cooperation by this state if full benefit is to accrue to Iowa.

Members of both groups are in agreement as to the following proposed plan, and from their experience appreciate fully the benefits to be derived therefrom. The first purpose is to provide an adequate and flexible system for the protection and use of forests, fish, game, lakes, streams, plant life, public lands, and other outdoor resources in this state. Equally important are the savings to accrue from the operation of one administrative unit where two have been

used before. Even allowing for an extension and improvement of services now rendered, it is estimated that an economy of \$15,000.00 in the administrative, technical extension, clerical, enforcement, and game and fisheries branches, of the Fish and Game Commission alone can be effected.

A single organization under competent administration can, as a rule, function more economically and satisfactorily than two organizations having a border line not clearly defined and having also some conflicting special interests. The advantage of a single board to which the public may come with its projects is very great.

To perfect the merger, it is recommended that:

I. There be created a State Conservation Commission of five members to be appointed by the Governor by and with the approval of the Senate. Not more than three may be from the same political party. The term of office for each member of the Commission shall be six years. The commissioners appointed shall be persons having interest in and knowledge of conservation, and such persons shall not hold any other state or federal office or employment.

II. The members of the State Conservation Commission shall receive no pay for their services as members of the Commission but shall be allowed their necessary traveling and hotel expenses while absent from their homes in attendance upon meetings of the Commission and in the discharge of their official duties.

III. The Commission shall employ a Conservation Director, who shall continue in office at the pleasure of the Commission and whose salary shall be fixed by the Commission. Said Director shall be a person having executive ability and experience, and having special knowledge of and interest in conservation work. He shall be administrative head of the State Conservation Department, shall be responsible to the Commission for the execution of its policies, shall employ by and with the advice and consent of the Commission an assistant director and such technical and administrative assistants as may be necessary for the execution of such policies, and shall exercise the powers of the Commission in the interim of its meetings but subordinate thereto, but shall have no authority to make rules and regulations.

IV. The Director of Conservation shall employ by and with the advice and consent of the Commission qualified persons to serve as state conservation officers for the enforcement of the rules and regulations of the Conservation Commission and as superintendents or

custodians of state parks. Not more than fifty of such conservation officers shall regularly be assigned to the enforcement of the rules and regulations of said Commission. All conservation officers shall have the same authority as other peace officers. Said conservation officers may be removed by the Director of Conservation at any time subject to the approval of the Commission.

V. The Conservation Commission shall establish three general departments: A department of biological survey to include fish and fisheries, waterfowl, game, and fur-bearing animals; a department of lands and waters to include state parks, forests and forestry, and plant industry; and a department of administration to include accounts and records, enforcement, technical advisers, planning, engineering, extensions, and public relations.

VI. All duties, liabilities, authority, powers, and privileges imposed or conferred by law upon the State Fish and Game Commission, the State Board of Conservation, and the State Forestry Commissioner shall be imposed and conferred upon the Conservation Commission created herein.

VII. Funds of the Conservation Commission shall be from two sources: proceeds from the sale of hunting and fishing licenses heretofore accruing to the Fish and Game Commission fund, and appropriations heretofore accruing to the Board of Conservation fund. Moneys accruing from the sale of hunting and fishing licenses and from all sources within and by virtue of the work of the department of biology shall be used solely to support the work of that department and its equitably proportionate share of the department of administration, and the department of lands and waters shall be supported solely by funds from appropriations, and the department of administration shall be supported by funds accruing from an equitable division as determined by the Commission from the license funds, and appropriations.

STATE PLANNING BOARD

The Iowa State Planning Board is a non-partisan group of citizens serving without pay who are working to bring about planned progress in the conservation and development of our land, water, human, and industrial resources through local, state, and federal cooperation. It is evident that the State Planning Boards in Iowa and 40 other states have been appointed for the purpose of cooperating with established state agencies in collecting data and develop-

ing plans, and in turn coordinating these plans with the work of the several units of the federal government. The primary objective of the Iowa State Planning Board is to serve as a coordinator among the several state organizations and interests and between state and federal units.

The present membership of our State Planning Board includes representatives from the following state organizations and interests:

- State Board of Conservation
- State Fish and Game Commission
- State Highway Commission
- State Department of Health
- State Geological Survey
- Women's Organizations
- Agriculture
- Business and Industry
- Public Works
- Relief Administration

The 16 board members have been selected because of the organizations and interests represented and their interest in and knowledge of the fields under consideration.

Any or all of 16 major projects could be cited to show the place of the Iowa State Planning Board as a coordinator. We shall mention but two—education, and land utilization.

The Committee on Education of this board is making studies and developing plans of vital importance to the present and future welfare of the state of Iowa. In this work the State Department of Education, the State University of Iowa, Iowa State Teachers College, and Iowa State College, the Iowa Library Association, the Farm Bureau Committee on Education, and a number of public-spirited citizens are cooperating.

In the land utilization project, the State Planning Board furnishes opportunity for the Board of Conservation, Fish and Game Commission, the Land Utilization Committee of Iowa State College, and the executive officers of the state to cooperate with the federal agencies in developing and putting into operation a land use program.

Formerly we had in Iowa an abundance of such natural resources as land, water, minerals, lumber, and game. We gave little or no thought to the need of coordinated physical, economic, and social planning. Our history is one of exploitation and waste. Here in Iowa the trees along our streams and on naturally wooded areas

have been cut down; many of our lakes have been drained; our streams polluted; much of the land suited only to grazing and forests has been put under the plow, and very serious soil erosion and depletion of fertility have followed. In certain areas of the state, the situation is rapidly becoming serious.

The organization of the State Planning Board has made possible the coordination of the work of our state organizations with the Division of Program Planning of the Agricultural Adjustment Administration, the Bureau of Biological Survey, the Forestry Service, the Park Service, the Soil Erosion Service, the Emergency Conservation Program, and other federal agencies. These federal agencies are now becoming more effectively correlated through the recently organized National Resources Board. From this coordination of state and federal programs it will be possible to develop a land use policy which will result in the conservation of our resources and a higher standard of living on Iowa farms.

In order that the work thus far done by the State Planning Board and benefits to be derived therefrom shall be continued, it is the recommendation of this committee that:

I. A State Planning Board be created to promote plans and recommendations which may contribute to the welfare and security of the people of the state and to coordinate the plans and efforts of others to this end.

II. The Board shall consist of representatives from such agencies of the state, and other groups, whose functions and interests relate particularly to the fields mentioned above. No compensation shall be paid to members other than necessary expenses.

III. It shall be the duty of the State Planning Board to make reports and recommendations to the Governor, the legislature, or to any federal or state agency, and to make public any report whenever it deems it advisable so to do; and to prepare plans and coordinate the plans and efforts of other agencies insofar as it may be within their means so to do, for the use, possession, and preservation of land, for the providing, conservation, and use of waters, for the health and happiness, safety, comfort and convenience, and the education and social welfare of the people, and for the facilitating and developing of transportation, industry, and commerce, and the services that may be rendered thereby.

CONCLUSION

Your committee has had the helpful cooperation of Governor Herring, of the several departments of state government, of our state educational institutions, of members of the General Assembly, of various civic organizations, and of interested individuals. Their invaluable assistance, freely given, is deeply appreciated. Mention should also be made of the research work done by Dr. John E. Brindley.

Other proposals worthy of early legislative action, such, for example, as rural school reorganization, have been submitted to this committee. It is our hope that interest and action on problems of governmental reorganization be not limited during this session to the specific proposals made in this report.

Respectfully submitted,

JOHN K. VALENTINE, Chairman;
D. W. KIMBERLY,
G. E. ROELOFS,

For the Senate.

EARL M. DEAN,
JOHN SPEIDEL,

For the House.

On motion of Senator Harrington, the Senate adjourned until 2:00 p. m., Tuesday, January 22, 1935.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 22, 1935.

The Senate met pursuant to adjournment, President N. G. Kraschel presiding.

Prayer was offered by Reverend W. L. Ewing, pastor of the Grace Methodist church in Des Moines.

PETITIONS AND MEMORIALS

The following petitions were received and filed, to be referred to the proper committees as soon as they have been appointed:

Preventing the establishment of liquor stores or places where beer is sold, in localities where the majority of the voters oppose such establishment. Senator Stanley, from residents of Clearfield; Senator Elthon, from residents of Forest City; Senator Malone, from residents of Shelby; Senator Malone, from residents of Harlan; Senator Shangle from residents of Mahaska county.

Favoring the allocation to the schools of the state, a part of the funds raised by the sales tax, the state income tax, and the corporation tax. Senator Roelofs, from Sioux county school directors and officers.

MOTION TO RECONSIDER

Senator Reese moved that the vote by which Senate Concurrent Resolution 3 was adopted be reconsidered.

Senator Reese asked unanimous consent to withdraw his motion.

Senator Wilson filed a request to reconsider the vote by which Senate Concurrent Resolution 3 was adopted.

Senator Irwin called up for consideration House Concurrent Resolution 3.

HOUSE CONCURRENT RESOLUTION 3

Whereas, Criticism has been made of the operation of the Iowa Liquor Control Act, passed by the Forty-fifth General Assembly in Extraordinary Session and of the administration of said act by the Iowa Liquor Control Commission, and

Whereas, It is desirable that a legislative investigation be had, now, therefore,

Be It Resolved by the House, the Senate concurring: That a joint investigating committee of ten (10) members of the Forty-sixth General Assembly be appointed, five (5) of whom shall be appointed by the President of the Senate, three (3) of whom shall be selected from the majority party and two (2) of whom shall be from the minority party, from the members of the Senate; and five (5) of whom shall be appointed by the Speaker of the House of Representatives, three (3) of whom shall be from the majority party and two (2) of whom shall be from the minority party, from the members of the House of Representatives.

Be It Further Resolved, That said investigating committee be, and it is hereby authorized and directed to investigate the operation of said Iowa Liquor Control Act, and the administration of said Act by the Iowa Liquor Control Commission, to require the chairman of the Iowa Liquor Control Commission to submit all papers and records, together with all letters and everything connected with the buying and distribution of liquor from the date when they first commenced operating in their official capacity, and to make report of its findings together with recommendations, to the Forty-sixth General Assembly, and

Be It Further Resolved, That each member of the said joint investigating committee shall have the power to subpoena witnesses and administer the oath, and

Be It Further Resolved, That the sum of five hundred dollars (\$500.00) is hereby appropriated for the necessary expenses of the joint investigating committee.

Senator Wilson moved that House Concurrent Resolution 3 and Senate Joint Resolution 1 be referred to a standing committee for their consideration.

Senator Irwin concurred with Senator Wilson on this motion, which was adopted.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

House Concurrent Resolution 4, requesting the State Printing Board

to furnish copies of the 1931 Code to the Chief Clerk of the House and Secretary of the Senate, the press galleries, and the committee rooms.

VIRGIL LEKIN, *Chief Clerk*.

The President named the following committee to sit as an election contest committee on the contest between Pelzer and Malone in the Twelfth District for membership in the Senate of the Forty-sixth General Assembly: Senators Shangle, Stanley, Bell of Crawford, Harrington, and Dewey.

APPOINTMENT OF PAGES

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

Jimmie Koontz, Secretary's page; Edw. Wollenberg, Wm. Fitzgerald, Francis Steffens, Edwin Berggren, Charles Larson, Matt Kruzick, Dale Murphy, Dan Sherman, Robert Fosselman.

N. G. KRASCHEL, *Lieutenant Governor*.

Senator Baldwin was granted unanimous consent to return to the order of resolutions.

HOUSE CONCURRENT RESOLUTION 4

Be It Resolved by the House, the Senate concurring: That the State Printing Board be requested to furnish copies of the Code of 1931, as follows:

One copy for each of the various committee rooms of the House and Senate; three copies for the Chief Clerk of the House and the Secretary of the Senate for the use of said officers and their assistants; such number of copies for the press galleries of the House and Senate as necessary, to be determined by the Chief Clerk of the House and the Secretary of the Senate.

Senator Baldwin moved to amend the resolution by inserting in line 2 following the comma after the figures "1931" the words "session laws, annotations and supplements thereto, and table of corresponding sections."

The motion prevailed and the amendment was adopted.

The resolution was adopted as amended.

The Journal of January 17, 1935, was approved.

ASSIGNMENT OF PRESS SEATS

The Secretary of the Senate assigned seat number 65 in the press gallery to Wallace M. Short, representing The Unionist and Public Forum, Sioux City, Iowa.

GOVERNOR'S SUPPLEMENTARY MESSAGE

The following communication was received from the Governor:

January 16, 1935.

To the Senators and Representatives of the Forty-sixth General Assembly:

GENTLEMEN: In conformity to the assurances given in the message delivered at the joint session January 15th, I am submitting reports from the various departments as indicated below:

Agricultural
Farm Debt Advisory Council
Employment Service Bureau
Emergency Relief
Highway Commission
State Planning Board
Board of Assessment and Review
Secretary of State
Banks and Banking
State Comptroller
Liquor Control Commission
Insurance Department
Auditor of State
Treasurer of State
Bank Receivership

Some of these reports were rather hurriedly put together and are not as complete as will be later reports to be furnished you. I shall be glad to obtain and supply to you any additional information which you may desire, and in connection with the report by the State Liquor Control Commission, there will be furnished you shortly, a complete audit prepared by the Auditor of State under direction of the Executive Council.

Respectfully,

CLYDE L. HERRING, *Governor.*

THE FARMERS OF IOWA

There has been a steady improvement in the condition of Iowa farmers as a whole. The general level of farm prices has increased approximately fifty per cent. The drought and chinch bugs occasioned enormous damage, especially in southern Iowa, but corn-hog checks amounting to \$35,000,000 and \$250,000 federal aid to control

chinch bugs, aided by the cattle purchasing program, federal feed loans, corn sealing program, and the work of the FDA have done much to lighten the farmers' burden.

Progress in the program to aid Iowa farmers may be summarized as follows:

1. The Agricultural Adjustment Act made it possible for the Iowa farmer to adjust production to profitable demand. This program has brought millions of dollars to the farmers of Iowa, both in benefit payments and in a higher price level.

2. Loans made upon corn, sealed and left upon the farm, were made to 128,000 Iowa farmers, enabling them to borrow \$61,000,000 upon 135,000,000 bushels of corn. For the first time in history corn, within a comparatively brief period of time, increased from 25c per bushel to as high as \$1.15, and of more advantage to the farmer than being enabled merely to obtain a loan, was the fact that he still had the corn and was thus in a position to have the benefits of the increased price. Undoubtedly this corn sealing program should be extended to other farm commodities, and this Legislature should make the necessary provisions, therefore, in case the Federal Government thus extends its activities.

3. Through the Farm Debt Advisory Council thousands of distressed farm owners have been able to save their homes. In all there has been a substantial, beneficial advance highly helpful to the farmers of our state.

FARM DEBT ADVISORY COUNCIL

In each county there has been established a local advisory committee of five members. The state has been divided into ten districts, each district being under a coordinator who attends each county meeting, which meetings are held twice each month. It is possible to take care of from ten to twenty at each meeting, and very often there are many more in attendance.

The average reduction in debts owing and thus submitted for conciliation has been in excess of 30 per cent, and the total of debts thus considered runs into millions of dollars.

The title given the Farm Debt Advisory Committee has led many to conclude that its activities are limited to farms only, but, as a matter of fact, the authority goes beyond the farms and extends to city home obligations as well. There are many such who are in distress but who do not know their situation may be passed upon

by the Council, although through the press and by radio an attempt has been made to convey this information to city home owners.

EMPLOYMENT SERVICE BUREAU

The depression in business prevailing throughout the country has resulted in a very widespread unemployment among our people. This condition was recognized by the Federal government, and an Act of Congress provided for the enlargement of the Federal Employment Service, authorizing the United States Department of Labor to establish a cooperative Employment Service in the different states to assist the states in establishing additional employment offices.

The Forty-fifth Extra Session of the General Assembly recognized the responsibility of the state in assisting our unemployed citizens to secure positions that would make them selfsustaining, and enacted such legislation as would permit Iowa to accept the cooperation of the United States Department of Labor in the establishing of additional employment offices in Iowa. Authority was granted to the Bureau of Labor to proceed with such arrangement and an appropriation was made to carry out this program, the government meeting one-half of the expense. Under this authority the Bureau of Labor has established employment offices in ten of the largest cities of the state and has been rendering a much needed service in the securing of placements for the unemployed people. The local communities where employment offices are located have shown their appreciation of this service by assuming a part of the administration expense.

In the establishing of the cooperative employment service through the state and the Federal Government the Federal Department established certain rules and regulations and standards relating to the qualifications of the personnel that were to be employed in the employment offices. Under this arrangement examinations were held, after due publicity, of applicants for the different positions in the Employment Service, only such persons as were successful in passing these examinations were eligible for appointment in the permanent positions in the Employment Service. This was the uniform procedure in all of the states in which a cooperative Employment Service was established.

The Employment Service rendered very valuable assistance during the CWA and PWA work in Iowa as well as the placement of many people in private industry. With the prospect of a much

enlarged work project under federal direction for the next two years the Employment Service will have even greater responsibility and opportunity than prior to this time.

EMERGENCY RELIEF ADMINISTRATION

During the period of January, 1933, to the close of December, 1934, the Federal Government furnished the State of Iowa the sum of \$14,285,000.00, for direct and work relief, and under the Civil Works Program the further sum of \$14,600,000.00 was expended in this state. During the same period the various counties of the state furnished approximately \$2,376,000.00, and from August to the close of December, 1934, there was expended from state funds \$1,800,000.00, making a total of \$33,061,000.00. This vast sum has been expended as outlined below:

Cattle have been purchased in the emergency drought area and are being slaughtered and canned for distribution to relief families. Approximately 30,000 head of cattle have been processed at this time, and authorization has been received to purchase and process 60,000 additional head of cattle. Approximately 3,300,000 cans of beef and beef broth have been produced up to this time. If the additional 60,000 head of cattle are provided, this will produce more than 6,000,000 additional cans of beef. Part of the hides from these cattle have been reserved and are now being made into leather, which in turn will be used for the repair of shoes, and possibly to make work jackets and mittens for relief families.

Water was supplied to the cities of Creston and Lenox, Iowa, during the summer and fall of 1934, when the water supply in these cities was completely exhausted. In a number of other towns tests have been made and assistance is being given to sink wells to provide an adequate supply of water.

Funds are provided for use through the Rural Rehabilitation Department for the permanent rehabilitation of worthy families, who with some immediate assistance can be made permanently self-sustaining. This part of the Relief Program is developing rapidly and, no doubt, will be successful in permanently reducing the need for relief.

Federal funds have been provided to pay the expenses of the Iowa Farm Debt Advisory Council, with local councils in operation in every county in the state. Through the efforts of these councils equitable re-adjustment of indebtedness has been accomplished for

thousands of farmers, thereby saving the homes and farms of many persons who have been in financial distress.

Federal funds are provided also to pay the personnel needed to operate the offices of the Emergency Crop Loan Section of the Federal Farm Credit Administration. These offices are established in each of the counties in the emergency drought area, and by their prompt service have been of great assistance to persons who find it necessary to apply for crop loans.

The Educational program is divided into two parts with all expenditures by both divisions paid from federal funds. The Emergency Education program is providing employment for 400 needy, unemployed teachers, thus making it possible for several thousand children and adults to secure additional educational advantages.

Through the Student Relief Employment program, funds are available to pay needy and deserving students for work performed while they are in attendance in Iowa colleges. Approximately 2,000 students were given employment during the school year ending in June, 1933, and approximately 2,500 students are benefiting by this employment at the present time, thereby enabling these young citizens to continue or complete their education.

All of the accomplishments of the Iowa State Planning Board have been made possible by the use of Federal funds. The Planning Board is engaged in the preparation of practical plans for the conservation and utilization of natural resources, for the advancement of industry, agriculture and education, for the development of recreational facilities—all of these plans being prepared so that suitable Public Works projects can be ready immediately or can be put in operation from time to time, if and when it is necessary to provide public employment.

The Agricultural Adjustment Administration permitted the Relief Administration to accept 35,191 surplus hogs, which were produced in excess of contract agreements. These pigs have been fed until they have reached an average weight of from 100 to 140 pounds, and have then been processed and distributed for use by relief families.

The entire cost of the Transient Relief program has been paid from Federal funds, and through the work of the Iowa Service Bureau for transients, homeless persons and families have been properly cared for. The number of transients receiving relief varies from time to time, the greatest number at any one time being 3,727. The work of the Transient Bureau has greatly relieved the

relief administrations in the several counties and has been most effective in the reduction of crime and vagrancy.

A supply of seed corn and soy bean seed has been secured for distribution in the drought area during the Spring of 1935. Because it is known that there will be great difficulty to secure seed and because many families will not have funds to purchase such as may be available, a quantity of soy bean seed and seed corn has already been purchased.

STATE HIGHWAY COMMISSION

During the past two years the primary roads have been maintained at a total expense of \$5,815,000.00. The road construction work under the State Highway Commission has included 286 miles of paving, 48 miles of gravel, 201 miles of bituminous gravel, 535 miles of permanent grade, 2,941 bridges and culverts, and a corresponding amount of guardrail, tile drains, etc. The work has cost a total of \$21,325,000.00, of which amount the Federal Government has paid \$11,240,000.00, or 53 per cent.

Fifty railroad grade crossings were eliminated from the primary road system.

Refinancing of county primary road bond issues is in progress. Pursuant to an act passed by the Extra Session of the Forty-fifth General Assembly one year ago, some fifteen million dollars of county primary road bonds were refunded in the Spring of 1934, at a saving thus far of \$414,000.00 in premiums and lower interest rates on the refunding bonds. Plans are now being made for the refunding of about thirty million dollars additional county primary road bonds next spring. If the present favorable bond market continues until spring, an additional saving commensurate with that of last spring may be made.

The income in the primary road fund, from motor license fees and gasoline tax, is about \$14,500,000.00 per year. After the refunding of county primary road bonds under Chapter 8 of the Laws of the Extra Session of the Forty-fifth General Assembly is completed next spring, about \$8,100,000.00 per year will be required to meet primary road bond and interest payments. It requires about \$3,100,000.00 per year to maintain the primary road system. These two fixed items absorb all but \$3,300,000.00 of the annual primary road income.

Under a law passed by Congress in June, 1934, Iowa has been allotted \$3,230,000.00 of Federal aid road funds for the fiscal year

beginning July 1, 1935, and will also be allotted a similar amount for the fiscal year beginning July 1, 1936. The state must match these Federal funds dollar for dollar, furnish the necessary right of way, and meet engineering and overhead expenses incident to this Federal aid road work. In addition there are miscellaneous and emergency items of work which the state must do on the primary roads, but which cannot be included in any Federal aid program. All of these various items will require a total of about \$4,800,000.00 per year, or about \$1,500,000.00 per year more than is available in the primary road fund after meeting the maintenance, bonds, and interest payments.

This matter is submitted for your consideration. Under the present conditions of unemployment, Iowa cannot afford to fail to match these Federal aid road funds. Any additional funds raised to meet the situation should come from the road user.

STATE PLANNING BOARD

Last February the president of the United States called upon the technical and professional leaders of Iowa to assist in a gigantic study of Iowa's national resources.

The results of these studies were made public last month by the National Resources Board in Washington. At the moment, assembled in one coordinated national program, they are the basis for congressional legislation to provide a four billion dollar Public Works program for the coming year.

Iowa may well have a justified pride in the accomplishments of technical men and women, drafted from our state departments, our colleges and universities, and our agricultural, industrial and financial interests, who unselfishly donated time and energy to the success of the Iowa State Planning Board.

Iowa's preliminary planning report, a coordination by Iowans of many plans and studies of Iowa problems in other years, in the light of present conditions, was hailed in Washington as the outstanding state report submitted. It was held up to other states as a standard for emulation. Copies of this report are to be given to each member of the Forty-sixth General Assembly.

As a result, Iowa occupies an enviable position in the national four billion dollar re-employment program which the President proposes to provide work for all men and women, now on relief, who are able to work.

It is highly essential, therefore, that the activities of the Iowa

State Planning Board be continued if Iowa is to realize a maximum of benefits from erosion control, slum clearance, rural re-housing, rural electrification, modernization of highways, grade crossing elimination, and other public works projects which the national government contemplates.

Iowa is ready to proceed immediately upon approval by the Federal Government, of the President's four billion dollar Public Works recommendation recently submitted to Congress.

BOARD OF ASSESSMENT AND REVIEW

The Retail Sales Tax Division collected from April 1, 1934, to December 31, 1934, a total of \$5,429,626.02. The amount thus collected has been expended as follows:

Three million dollars allocated to emergency relief, and \$2,264,209.36 has been turned to the general fund of the State of Iowa, thus enabling the state to eliminate the general levy for state purposes. Of the balance, \$163,138.57 has been used to defray the expenses of the Sales Tax Division, which expenses amount to 2.35 per cent of the amount thus collected.

Administrative salaries were \$6,259.17, office salaries \$41,096.94, and field men's salaries \$31,910.00. Traveling expenses amounted to \$28,727.33.

SECRETARY OF STATE

Operating costs in this department during the past two years have been reduced approximately 25 per cent, notwithstanding the establishment of the Securities department and the effort to promote highway safety.

Because of the Securities act this state is no longer a fertile field for the flotation of questionable bonds and securities, or for the operation of irresponsible promoters. Nor can our people be again victimized by the sale of worthless foreign bonds, which figured too extensively in many bank failures.

The department established a small highway patrol with results so gratifying as to justify a definite extension of that program.

BANKS AND BANKING

On January 1, 1933, there were 643 state banks, savings banks, and trust companies in operation. From January first to January twelfth, at the time this Administration took over the affairs of the State Government, 13 of these banks were compelled to close, and 30 per cent of the remainder of the banks were forced to

appeal to local authorities for the declaration of a holiday in order that they might avoid receivership. This pressure upon our banks called for immediate special attention, which was given, and as a result, we caused to be passed by the Forty-fifth General Assembly of the State of Iowa, what is known as Senate File 111, and approximately 133 of our banks came under its protection prior to the National moratorium.

The subsequent passage of Senate File 483 and accompanying measures providing for the reorganization of the banks coming under the management of the Superintendent of Banking through the medium of Senate File 111, enabled the restoration of the banking structure of the state.

Since March 14, 1933, there has been a total of 497 banks released from Senate File 111 operation, making a total amount of deposits of \$157,739,502.00 available to the depositors. Two hundred ninety-five of these banks were reorganized through the medium of depositor agreements, with a waiver of from 25 per cent to 50 per cent of their deposits into trusteeship. Thirty-six banks were liquidated voluntarily, and in practically all instances the liquidation was predicated upon a 100 per cent payment to every depositor.

Inasmuch as every bank in Iowa came under Senate File 111 during March of 1933, it is apparent that the provisions of that Act were highly advantageous to the depositors and of great and lasting benefit to the people of Iowa.

STATE COMPTROLLER

At the close of 1934 there were no warrants outstanding stamped "not paid for want of funds," although there were outstanding warrants, which had not been presented for payment, amounting to approximately \$2,000,000.00, being the warrants outstanding in the general course of business.

It has been extremely difficult to keep the budget in balance on account of the increase in food prices for inmates of the various state institutions. Due to the advance in price of farm products the per capita food cost for May was \$4.35, and for December, \$6.00, making an increase of approximately 40 per cent.

The total receipts may be safely estimated as between \$12,500,000.00 and \$13,000,000.00 annually, which figures should, of course, be given consideration by the respective Appropriation Committees.

Due to the increase in food prices and necessary repair material, between fourteen and fifteen million dollars will be required if the budget is to be kept in balance. The item of \$1,500,000.00 for each quarter, set aside from sales tax receipts for general revenue purposes, will hence not be sufficient, but there should be set aside from sales tax receipts, a total of at least \$7,500,000.00.

In preparation of the budget a reserve should be allowed for a further increase in prices, and provision should be made for additional funds sufficient to maintain at all times a reasonable cash balance in the state treasury.

IOWA LIQUOR CONTROL COMMISSION

The net income of the Iowa Liquor Control Commission from March 8, 1934, to December 31, 1934, amounts to \$556,782.13, with an inventory of \$1,632,332.44, which represents merchandise in the central warehouse in Des Moines and in the retail stores. It may be noted that the ratio of current assets to current liabilities is one and one-half to one. Liquor inventories stated on the basis of actual costs represent an inventory investment with a market value at December 31, 1934, in excess of cost. Total liabilities were almost in balance with our inventory. They amount to \$1,640,623.68.

At the opening of business January 2, 1935, there was a credit with the State Treasurer and State Comptroller of \$825,447.08. This is composed of \$320,437.08 derived from the operation of the business and the legislative appropriation of \$500,000.00, all of which is intact with the State Treasurer. To date there has been drawn \$110,000.00 of the legislative appropriation. This amount was used for organization expense and was returned to the State Treasurer on August 1, 1934, less than six weeks after the first store had been opened.

The Commission, on December 31st, was employing 348 persons, 115 of whom were working in the central offices and warehouse in Des Moines and 232 in the liquor stores. Fifty-seven stores were operating on that date.

INSURANCE DEPARTMENT

During the years 1933 and 1934 the insurance department had under its supervision approximately 155 life companies, 21 of which were Iowa companies.

In addition to life and fraternal companies there were 620 fire, casualty, assessment associations and reciprocal exchanges.

The department has conducted and participated in the examination of 75 insurance companies within the two-year period.

At the close of the year 1933 there was on deposit with the insurance department to the credit of insurance companies, assets in the amount of \$414,019,687.87. At the close of the year 1934 there was on deposit with this department assets in the amount of \$429,411,869.00.

The statutes of this state require that all policy forms before being issued be submitted to and approved by the department. During the years 1933 and 1934 approximately 4,700 policies were approved by the department for the stock and mutual companies, mutual associations, reciprocal exchanges, including life companies.

During the years 1933-34 approximately 120,000 requisitions for agents' licenses were issued to various agents.

For the two-year period there have been 7,505 certificates made and issued, for which we have received in fees, \$6,496.40.

A complaint department is maintained by the insurance department for complaints relative to claims, and during the years 1933-34 over 3,600 complaints were adjusted.

There were audited for the last two years, 1,540 companies' annual statements.

There has been collected by the insurance department and turned over to the state during the two-year period the sum of \$3,086,421.26.

AUDITOR OF STATE

The Forty-fifth General Assembly added to the duties of the Auditor of State by increasing the audits of the governmental subdivisions of the State of Iowa to include all state departments, commissions and bureaus, all county governments, all municipalities of 2,000 population or more, all school districts of the state, and supervision of audits of all building and loan associations and partial payment investment houses. This represents approximately 5,373 units of state government which are now audited annually.

These audits have brought to light many irregularities and improper practices in the various units audited. Many of these irregularities and improper practices have been stopped and the losses arising therefrom have been eliminated.

STATE TREASURER

The following is a comparative statement as to the condition of the Treasury at the close of business January 3, 1933, and January 3, 1935:

	1933	1935
General Revenue Fund.....	\$1,276,509.39	\$ 793,133.72
Trust Fund	2,335,545.22	1,852,399.94
Additional Bonus and Disability Fund.....	129,815.01	76,863.07
Soldier Bonus Bond Sale Receipts.....	3,858.80	3,387.80
Soldier Bonus Tax Fund.....	80,130.50	116,287.10
SPECIAL FUNDS		
Anticipatory Warrant Retirement Fund.....	77,811.85	294,795.00
State Sinking Fund for Public Deposits.....	106,556.95	2,834,270.81
Beer Revenue Fund—Administration Treas- urer of State.....		1,342.21
Board of Assessment and Review—Special Tax Fund		14,312.67
Motor Vehicle Fuel Fund—Administration and Refunds	117,429.66	103,586.62
Old Age Pension Fund.....		840,648.00
Primary Road Contingent Fund.....	318,120.85	358,434.06
FEDERAL FUNDS		
Bureau of Labor—United States Employ- ment Service Fund.....		1,508.64
Vocational Education—George-Ellzey Fund		37,871.54
Vocational Education—George-Reed Fund.....	11,161.85	19,695.20
Vocational Education—Smith-Hughes Fund..	28,476.49	32,420.11
Vocational Rehabilitation	2,001.46	9,215.85
STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS ENDOWMENT FUNDS		
Agricultural College Endowment Fund— Principal	2,063.57	47,779.42
Agricultural College Endowment Fund— Interest	4,292.83	6,582.75
	\$4,493,774.43	\$7,444,534.51

It will be noted that the General Revenue Fund shows a balance of approximately \$500,000.00 more on January 3, 1933, than it does on the same date in 1935, but if you will take into consideration the fact that only approximately 37 per cent of this amount was available on January 3, 1933, or \$472,308.46, whereas there was available on January 3, 1934, 94 per cent of the amount shown on this statement, or \$745,545.70, you will see much improvement in this fund alone. In addition to these figures, your attention is called to the fact that on January 3, 1933, the Treasury showed

no General Revenue funds in the hands of the County Treasurers subject to the draw of the Treasurer of State, while on January 3, 1935, there was \$683,599.98 in the hands of the County Treasurers subject to the draw of the Treasurer of State.

This improvement in the condition of the Treasury is due largely to two reasons: First, the passage of the Sales Tax, Income Tax, and Corporation Tax Act by the Forty-fifth General Assembly, Extraordinary Session (known as Chapter 82), and second, to the sale of the three and one-half million dollars of Anticipatory Warrants. Since the first receipts of the Sales Tax Act on April 11, 1934, there has been collected \$5,443,965.23, of which \$3,000,000.00 has been apportioned to the State Emergency Relief; \$2,264,209.36 to the General Revenue Fund of the State; \$163,138.57 to the Board of Assessment and Review for administration purposes in the carrying out of this act, and \$16,617.30 to the Board of Assessment and Review for taking care of the necessary refunds as provided in Section 59 of this act.

Since the sale of Anticipatory Warrants, the proceeds of which were placed to the State Sinking Fund for Public Deposits, the amount on deposit in the American Savings Bank and Trust Company at Davenport, Iowa, in the sum of \$1,656,559.53 was made available. As further claims are paid from the sale of these warrants, additional revenue will accrue to the State, and the release of approximately one and one-half million dollars of Motor Vehicle funds tied up in the hands of county treasurers.

Your consideration is further called to the fact that if the same percentages are applied to the other funds as set out in the above statements, a very much better improvement will be noted, and as the income becomes available from the Income and Corporation Tax portion of the above mentioned law, the improvement in the Treasury will be even greater.

Another item of interest may be the fact that in view of the small amount of General Revenue available in the early part of 1933, it was necessary to stamp warrants drawn against this fund, "not paid for want of funds," and from the date the first warrant was stamped, February 11, 1933, to the time when all that had been stamped were called for payment, August 21, 1934, the total amount of warrants stamped amounted to \$12,596,878.40, on which interest was paid in the sum of \$196,101.61. It might appear that this is a large amount of interest to pay, but when the credit of the State

is at stake, and the fact that the rate of interest only averages .0015 of 1 per cent, the amount is negligible. At this time there are no outstanding warrants drawn against the General Revenue Fund on which interest is accruing, and the only bonded indebtedness of the State of Iowa is the unpaid amount of Soldier Bonus Bonds issued in 1923, in the amount of \$8,800,000.00.

BANK RECEIVERSHIP

The period of January 1, 1933, to and including March 4, 1933, being the date of the National moratorium on banks, there were placed in receivership 21 institutions. Following the National moratorium of March 4, 1933, up to and including December 31, 1934, there were 86 banks placed in receivership. Included in the 107 banks were a number of institutions that had been reorganized and a portion of the deposits made available to the depositors through reorganization, leaving the remaining slow assets to be liquidated through receivership.

It will be observed that during the period between January 1, 1933, and December 31, 1934, 467 banks were in receivership, during which time there was completed liquidation and disbursement of final dividends in 77 banks, leaving a total of 390 banks in the process of liquidation on December 31, 1934, or a total increase of 30 in the number of receiverships during the period of two years. Out of the 360 banks in receivership on January 1, 1933, there were 326 banks which had paid dividends to depositors in the amount of \$25,007,051.26. Included in this amount is the final dividend paid by 77 banks in which liquidation was completed and the sum of \$1,232,577.24 paid to depositors in the final disbursement, after which an order discharging the receiver was entered in each of the 77 banks. Seventy-five of the banks placed in receivership during the two-year period returned dividends to depositors in the amount of \$2,661,660.81, which resolves itself into the fact that out of a total of 467 banks in receivership during the two-year period 401 of such banks made a total disbursement in dividends to depositors in the amount of \$27,668,712.07.

During the same period between January 1, 1933, and December 31, 1934, 151 banks in receivership liquidated and paid bills payable and rediscounts in the total sum of \$12,147,339.63, which amount, together with the dividend disbursements made as indicated above makes a total liquidation and payment of dividends and

borrowed money retired during the period of the two years in the total amount of \$39,816,051.70.

On motion of Senator Wilson, the Senate adjourned until 10:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 23, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. E. L. Spiller, pastor of the Simpson M. E. church of Des Moines.

PETITIONS AND MEMORIALS

The following petitions were received and filed, to be referred to the designated committees:

Senator Byers, from residents of Linn county, in regard to local option on liquor stores or places where beer is sold. Committee on judiciary No. 2.

Senator Pendray, from residents of Jackson county, in regard to local option on liquor stores or places where beer is sold. Committee on judiciary No. 2.

Senator Byers, from Municipal Employees, Local No. 626, Cedar Rapids, Iowa, against Beatty-Bennett Bill. Committee on cities and towns.

Senator Reese, from Post No. 46 of the American Legion, Marshalltown, Iowa, protesting the abolishment of the Soldiers' Relief Commission. Committee on military affairs.

Senator Stanley, from Adams County Farm Debt Advisory Committee, in regard to Iowa moratorium law. Committee on judiciary No. 1.

Senator Parker, from residents of Buchanan county, in regard to local option on liquor stores or places where beer is sold. Committee on judiciary No. 2.

Senator Byers, from residents of Cedar and Linn counties, favoring the placing of a tax on the "chain stores" doing business in the state. Committee on cities and towns.

INTRODUCTION OF BILLS

Senate File 8, by Senator Reese, a bill for an act to amend sec-

tion eleven thousand seven hundred sixty (11760), Code, 1931, providing for the addition of radio receiving set to general exemptions.

The bill was read first and second times and passed on file.

Senate File 9, by Senator Husted, a bill for an act to amend section two (2) of chapter eighty-two (82) and paragraphs two (2) and three (3) of section sixty-two (62), chapter eighty-two (82), acts of the Forty-fifth General Assembly Extra Session.

The bill was read first and second times and passed on file.

Senate File 10, by Senator Schmidt, a bill for an act to repeal sections twelve hundred one (1201), twelve hundred four (1204), twelve hundred eight (1208) to twelve hundred eleven (1211), inclusive, and twelve hundred thirteen (1213), and to amend sections eleven hundred ninety-seven (1197), twelve hundred two (1202), twelve hundred three (1203), twelve hundred twelve (1212), twelve hundred fourteen (1214), twelve hundred fifteen (1215), ten thousand eighty-five (10085), and ten thousand one hundred three (10103), all of the Code, 1931, and all relating to the appointment, powers, and duties of notaries public.

The bill was read first and second times and passed on file.

Senate File 11, by Senator Schmidt, a bill for an act to amend section ninety-two hundred seventeen-c one (9217-c1), Code, 1931, as amended by chapter one hundred sixty-one (161) of the acts of the Forty-fifth General Assembly, relating to the minimum capitalization of state and savings banks and trust companies.

The bill was read first and second times and passed on file.

Senate File 12, by Senator Harrington, a bill for an act to repeal sections ten thousand nine hundred twenty-nine (10929) and ten thousand nine hundred thirty-seven (10937), and to enact substitutes therefor, to amend section ten thousand nine hundred thirty-four-b seven (10934-b7), and to repeal section ten thousand nine hundred thirty-six (10936), all of the Code, 1931, and all relating to the revocation or suspension of the license of attorneys or counselors at law to practice.

The bill was read first and second times and passed on file.

Senate File 13, by Senator Harrington, a bill for an act to

establish a rule of evidence in cases wherein there is a failure to comply with statutes or ordinances which prescribe a standard of care for the equipment and operation of vehicles and machinery on the public highways, and to authorize, in certain cases, pleadings in avoidance of the rule herein established.

The bill was read first and second times and passed on file.

Senate File 14, by Senator Shaw, a bill for an act to amend chapter one hundred seventy-nine (179), sections one (1), four (4) and five (5), acts of the Forty-fifth General Assembly, relating to the extension of redemption period on real estate, where deeds of conveyance have not already passed and to add thereto provision making extension effective without additional court procedure when an order extending the period of redemption has heretofore been entered by the court and is still in effect. And to bring within the protection of said statutes contracts on which at least one-third ($\frac{1}{3}$) of the consideration has been paid.

The bill was read first and second times and passed on file.

Senate File 15, by Senator Hush, a bill for an act to amend section thirty (30), chapter fifty-six (56), acts of the Forty-fifth General Assembly in Extraordinary Session relating to permits for refund of motor vehicle fuel license fees.

The bill was read first and second times and passed on file.

REPORT OF SELECTION OF COMMITTEES BY THE LIEUTENANT GOVERNOR

AGRICULTURE

McArthur— Chairman	Corwin Elthon	Goetsch Husted	Patterson Roelofs
Anderson	Fisch	Mason	*Shaw
Bell of Crawford			

APPROPRIATIONS

Stevens of Wapello— Chairman	Dewey Donohue	Husted Knudson	Patterson Pendray
Baldwin	Doze	Malone	Reese
Berg	Driscoll	*McArthur	Schmidt
Byers	Grunewald	Moore	Shangle
Calhoun	Harrington	Miller	Shaw
Chrystal	Hopkins	Nelson	Stanley
	Hush	Parker	

* Indicates ranking member.

BANKS AND BANKING

Irwin— Chairman *Byers	Driscoll Elthon Geske	Miller Patterson	Stevens of Decatur Wilson
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BOARD OF CONTROL AND PUBLIC WELFARE

Hush—Chairman Aschenbrenner Beardsley	*Bell of Des Moines Calhoun	Dewey Doze Parker	Stevens of Decatur
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BOUNDARY BRIDGES

Goetsch— Chairman Bell of Crawford	*Bell of Des Moines Corwin Driscoll	Geske Harrington Irwin	Kimberly Mullaney Moore
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CITIES AND TOWNS

Wilson— Chairman Anderson Baldwin	Bell of Des Moines Berg Byers	Corwin Driscoll Harrington *Irwin	Kimberly McArthur Moore Stevens of Wapello
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CLAIMS

Fisch— Chairman Beardsley	Bell of Des Moines *Calhoun Donohue	Goetsch Hopkins Mason	Mullaney Patterson Shangle
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COMPENSATION OF PUBLIC OFFICERS

Anderson— Chairman Baldwin	Billingsley Doze Hush	Miller Moore	Schmidt *Valentine
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CONSERVATION

Chrystal— Chairman Beardsley	*Dewey McArthur	Pendray Reese	Stevens of Wapello
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COUNTY AND TOWNSHIP AFFAIRS

Mullaney— Chairman Grunewald	Husted Meyer Millhone	*Roelofs Shangle	Stanley Valentine
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DEPARTMENTAL AFFAIRS

Roelofs— Chairman Beardsley	Bell of Des Moines Chrystal	Hush Kimberly Pendray	*Stevens of Wapello Valentine
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DRAINAGE

Meyer— Chairman	Corwin Dewey	Donohue Husted	Patterson *Shaw
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EDUCATIONAL INSTITUTIONS

Schmidt— Chairman Anderson	Berg Elthon McArthur	*Nelson Parker	Pendray Roelofs
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ELECTIONS AND CONTESTS

Shangle— Chairman	Bell of Crawford	Dewey Harrington	*Stanley
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EMERGENCY LEGISLATION

Malone— Chairman	Doze Goetsch	Donohue Mullaney	Shaw *Stanley
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ENROLLED BILLS

Calhoun— Chairman	Fisch	*Hopkins	
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FEDERAL COORDINATION

Harrington— Chairman	Grunewald *Hush	Mason Mullaney Nelson	Reese Shaw Valentine
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FISH AND GAME

Driscoll— Chairman	Elthon Fisch	Millhone Parker	*Stevens of Wapello
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HIGHWAYS

Miller— Chairman	Bell of Des Moines	Driscoll Elthon	Hush Nelson
Anderson Aschenbrenner	Byers	Grunewald	*Parker

HORTICULTURE AND FORESTRY

Corwin— Chairman	*Malone Mason	Meyer Millhone	Stevens of Decatur
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INSURANCE

Knudson— Chairman	Donohue Elthon	McArthur Meyer	Shangle Shaw
*Baldwin Byers	Harrington Mason	Miller	Wilson

JUDICIARY NO. 1

Byers— Chairman	Baldwin Calhoun	Donohue Shangle	Stanley *Valentine
Anderson	Chrystal		

JUDICIARY NO. 2

Geske—Chairman	Fisch	Knudson	Shaw
Bell of	Irwin	Reese	*Wilson
Crawford	Kimberly		

LABOR

Reese— Chairman	*Billingsley Byers	Dewey Driscoll	Irwin Kimberly
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LIVESTOCK AND DAIRY

Grunewald— Chairman	Malone *Mason	Miller Mullaney	Stevens of Wapello
Husted	Meyer	Patterson	

MANUFACTURING, COMMERCE AND TRADE

Bell of Des Moines— Chairman	Baldwin *Billingsley Corwin	Driscoll Stevens of Decatur	Wilson
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MILITARY AFFAIRS

Stanley— Chairman	Aschenbrenner *Berg	Byers Fisch	Irwin Knudson
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MINES AND MINING

Doze—Chairman *Beardsley	Dewey Millhone	Reese Shangle	Valentine
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MOTOR VEHICLES

Valentine— Chairman Bell of Crawford	Hush *Calhoun Chrystal	Kimberly Knudson Malone	Roelofs Schmidt
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PHARMACY

Berg—Chairman Aschenbrenner	*Corwin	Millhone	Parker
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PRINTING

Baldwin— Chairman	Doze Geske	Millhone Nelson	*Reese Roelofs
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POLITICAL AND JUDICIAL DISTRICTS

Mason— Chairman	Elthon Husted	Meyer	*Patterson
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PUBLIC HEALTH

Moore— Chairman Aschenbrenner Berg	*Beardsley Billingsley Harrington	Pendray Patterson Reese	Schmidt Stevens of Decatur
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PUBLIC LAND AND BUILDINGS

Aschenbrenner— Chairman	Doze Goetsch	Hopkins Schmidt	*Wilson
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PUBLIC LIBRARIES

Elthon— Chairman *Billingsley	Donohue Mason	Parker Pendray	Schmidt Stanley
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PUBLIC SCHOOLS

Pendray— Chairman *Beardsley	Berg Grunewald Hopkins	Husted McArthur Millhone	Nelson Roelofs
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PUBLIC UTILITIES

Stevens of Decatur— Chairman	Bell of Crawford Chrystal Fisch	Geske Hush Irwin	*Knudson Moore
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RAILROADS AND AERONAUTICS

Shaw—Chairman	Grunewald	*Irwin	Malone
Billingsley	Harrington	Kimberly	Nelson
Fisch			

RULES

Irwin—Chairman	Geske	Valentine	*Wilson
Byers			

STATE PLANNING

Bell of Crawford	Calhoun	Geske	*Knudson
—Chairman	Chrystal	Goetsch	Roelofs
Beardsley	Dewey	Harrington	Valentine

WAYS AND MEANS

Kimberly—	Bell of	*Geske	Moore
Chairman	Crawford	Knudson	Stevens of
Anderson	Chrystal	Malone	Decatur

SENATORS AND THEIR RESPECTIVE COMMITTEES

SENATOR ANDERSON

Agriculture	Compensation of public	Highways
Cities and towns	officers—Chairman	Judiciary No. 1
	Educational institutions	Ways and means

SENATOR ASCHENBRENNER

Board of control and	Military affairs	Public land and build-
public welfare	Pharmacy	ings—Chairman
Highways	Public health	

SENATOR BALDWIN

Appropriations	*Insurance	Manufacturing, com-
Cities and towns	Judiciary No. 1	merce and trade
Compensation of public		Printing—Chairman
officers		

SENATOR BEARDSLEY

Board of control and	Conservation	State planning
public welfare	Departmental affairs	*Public health
Claims	*Mines and mining	*Public schools

SENATOR BERG

Appropriations	*Military affairs	Public health
Cities and towns	Pharmacy—Chairman	Public schools
Educational institutions		

SENATOR BELL, OF CRAWFORD

Agriculture	Judiciary No. 2	Motor vehicles
Boundary bridges	State Planning—	Public utilities
Elections and contests	Chairman	Ways and means

SENATOR BELL, OF DES MOINES

*Board of control and public welfare	Cities and towns Claims	Manufacturing, commerce and trade—
*Boundary bridges	Departmental affairs Highways	Chairman

SENATOR BILLINGSLEY

Compensation of public officers	*Manufacturing, commerce and trade	Public health
*Labor	Railroads and aeronautics	*Public libraries

SENATOR BYERS

Appropriations	Insurance	Labor
*Banks and banking	Judiciary No. 1—	Military affairs
Cities and towns	Chairman	Rules
Highways		

SENATOR CALHOUN

Appropriations	Enrolled bills—	Judiciary No. 1
Board of control and public welfare	Chairman	*Motor vehicles
*Claims	Horticulture and forestry	State planning

SENATOR CHRYSTAL

Appropriations	Departmental affairs	State Planning
Conservation—Chairman	Judiciary No. 1	Public utilities
	Motor vehicles	Ways and means

SENATOR CORWIN

Agriculture	Fish and game	Manufacturing, commerce and trade
Boundary bridges	Horticulture and forestry—Chairman	*Pharmacy
Cities and towns		
Drainage		

SENATOR DEWEY

Appropriations	*Conservation	Labor
Board of control and public welfare	Drainage	Mines and mining
	Elections and contests	State planning

SENATOR DONOHUE

Appropriations	Emergency legislation	Judiciary No. 1
Claims	Insurance	Public libraries
Drainage		

SENATOR DOZE

Appropriations	Emergency legislation	Printing
Board of control and public welfare	Federal coordination	Public land and buildings
Compensation of public officers	Mines and mining—Chairman	

SENATOR DRISCOLL

Appropriations
Boundary bridges
Banks and banking
Cities and towns

Fish and game—
Chairman
Highways

Labor
Manufacturing, com-
merce and trade

SENATOR ELTHON

Agriculture
Banks and banking
Educational institutions

Fish and game
Highways
Insurance

Public libraries—
Chairman
Political and judicial
districts

SENATOR FISCH

Agriculture
Claims—Chairman
Enrolled bills

Fish and game
Judiciary No. 2
Military affairs

Public utilities
Railroads and aero-
nautics

SENATOR GESKE

Boundary bridges
Banks and banking

Judiciary No. 2—
Chairman
Printing
Public utilities

Rules
State planning
*Ways and means

SENATOR GOETSCH

Agriculture
Boundary bridges—
Chairman

Claims
Emergency legislation

Public land and
buildings
State planning

SENATOR GRUNEWALD

Appropriations
County and township
affairs

Federal coordination
Highways
Live stock and dairy—
Chairman

Public schools
Railroads and aero-
nautics

SENATOR HARRINGTON

Appropriations
Boundary bridges
Cities and towns
Elections and contests

Federal coordination—
Chairman
Insurance
Public health

Railroads and aero-
nautics
State planning

SENATOR HOPKINS

Appropriations
Claims

*Enrolled bills
Public schools

Public land and
buildings

SENATOR HUSH

Appropriations
Board of control and
public welfare—
Chairman

Compensation of public
officers
Departmental affairs
*Federal coordination

Highways
Motor vehicles
Public utilities

SENATOR HUSTED

Agriculture
Appropriations
County and township
affairs

Drainage
Live stock and dairy
Public schools

Political and judicial
districts

SENATOR IRWIN

Banks and banking—
Chairman
Boundary bridges
*Cities and towns

Judiciary No. 2
Labor
Military affairs
Rules—Chairman

Public utilities
*Railroads and aero-
nautics

SENATOR KIMBERLY

Boundary bridges
Cities and towns
Departmental affairs
Judiciary No. 2

Labor
Motor vehicles
Railroads and aero-
nautics

Ways and means—
Chairman

SENATOR KNUDSON

Appropriations
Federal coordination
Insurance—Chairman

Judiciary No. 2
Military affairs
Motor vehicles

*Public utilities
*State planning
Ways and means

SENATOR MALONE

Appropriations
Emergency legislation
—Chairman

*Horticulture and
forestry
Live stock and dairy

Motor vehicles
Railroads and aero-
nautics
Ways and means

SENATOR MASON

Agriculture
Claims
Federal coordination

Horticulture and
forestry
Insurance

*Live stock and dairy
Political and judicial
districts—Chairman
Public libraries

SENATOR McARTHUR

Agriculture—Chair-
man
*Appropriations

Cities and towns
Conservation

Educational institutions
Insurance
Public schools

SENATOR MEYER

Drainage—Chairman
County and township
affairs

Horticulture and
forestry
Insurance

Live stock and dairy
Political and judicial
districts

SENATOR MILLER

Appropriations
Banks and banking

Compensation of public
officers

Highways—Chairman
Insurance
Live stock and dairy

SENATOR MILLHON

County and township
affairs
Fish and game

Horticulture and
forestry
Pharmacy

Printing
Public schools
Mines and mining

SENATOR MOORE

Appropriations
Boundary bridges
Cities and towns

Compensation of public
officers

Public health—Chair-
man
Public utilities
Ways and means

SENATOR MULLANEY

Boundary bridges	County and township	Federal coordination
Claims	affairs—Chairman	Live stock and dairy
	Emergency legislation	

SENATOR NELSON

Appropriations	Federal coordination	Public schools
*Educational institu-	Highways	Railroads and aero-
tions	Printing	navitics

SENATOR PARKER

Appropriations	Educational institutions	*Highways
Board of control and	Fish and game	Pharmacy
public welfare		Public libraries

SENATOR PATTERSON

Agriculture	Claims	*Political and judicial
Appropriations	Drainage	districts
Banks and banking	Live stock and dairy	Public health

SENATOR PENDRAY

Appropriations	Educational institutions	Public schools—
Conservation	Public health	Chairman
Departmental affairs		Public libraries

SENATOR REESE

Appropriations	Judiciary No. 2	Mines and mining
Conservation	Labor—Chairman	*Printing
Federal coordination		Public health

SENATOR ROELOFS

Agriculture	Departmental affairs—	Motor vehicles
*County and township	Chairman	Printing
affairs	Educational institutions	Public schools
		State planning

SENATOR SCHMIDT

Appropriations	Educational institutions	Public land and
Compensation of public	—Chairman	buildings
officers	Motor vehicles	Public libraries
	Public health	

SENATOR SHANGLE

Appropriations	Elections and contests	Judiciary No. 1
Claims	—Chairman	Mines and mining
County and township	Insurance	
affairs		

SENATOR SHAW

*Agriculture	Emergency legislation	Judiciary No. 2
Appropriations	Federal coordination	Railroads and aero-
*Drainage	Insurance	navitics—Chairman

SENATOR STANLEY

Appropriations	*Elections and contests	Military affairs—
County and township affairs	*Emergency legislation	Chairman
	Judiciary No. 1	Public libraries

SENATOR STEVENS OF DECATUR

Banks and banking	Horticulture and forestry	Public health
Board of control and public welfare	Manufacturing, commerce and trade	Public utilities—Chairman
		Ways and means

SENATOR STEVENS OF WAPELLO

Appropriations—Chairman	Conservation	*Fish and game
Cities and towns	*Departmental affairs	Live stock and dairy

SENATOR VALENTINE

*Compensation of public officers	Departmental affairs	Motor vehicles—Chairman
County and township affairs	Federal coordination	Rules
	*Judiciary No. 1	State planning
	Mines and mining	

SENATOR WILSON

Banks and banking	*Judiciary No. 2	*Public land and buildings
Cities and towns—Chairman	Insurance	Rules
	Manufacturing, commerce and trade	

COMMITTEE ON CHAPLAINS

The President named Senator Husted to replace Senator Stevens of Decatur on the committee to provide chaplains.

AMENDMENTS FILED

Amend Senate Joint Resolution 1 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. That a joint investigating committee of ten members of the Forty-sixth General Assembly be appointed, five of whom shall be appointed by the President of the Senate, three of whom shall be selected from the majority party and two of whom shall be selected from the minority party, from the members of the Senate and five of whom shall be appointed by the Speaker of the House of Representatives, three of whom shall be from the majority party and two of whom shall be from the minority party, from the members of the House of Representatives.

"Sec. 2. That said investigating committee be, and it is hereby authorized and directed to investigate the operation of said Iowa Liquor Control Act, and the administration of said Act by the Iowa Liquor Control Commission, to require the Chairman, members and employees of the Iowa Liquor Control Commission to submit all papers and records, together with all letters and everything connected with the buying and distribution of liquor from the date when they first commenced operating in their

official capacity, and to make report of its findings together with recommendations to the Forty-sixth General Assembly.

"Sec. 3. That the committee shall have the power to employ legal counsel and each member of said investigating committee shall have the power to subpoena witnesses and administer the oath.

"Sec. 4. That the sum of five thousand dollars (\$5,000.00), or so much thereof as is necessary, is hereby appropriated for the necessary expenses of the investigation."

LEO ELTHON.

The following persons appeared before the bar of the Senate and were duly sworn as committee clerks:

Helen Dennery—Senator Byers.

Lois Maulsby—Senator Hopkins.

REPORT OF COMMITTEE ON COMMITTEE ROOMS

MR. PRESIDENT: Your committee on assignment of committee rooms begs leave to report as follows:

Agriculture—Mon. and Thurs., 4:00 p. m.; Lieutenant Governor's room.

Appropriations—Mon. and Wed., 1:30 p. m.; Lieutenant Governor's Room.

Banks and Banking—Mon. and Wed., 3:00 p. m.; Room 23.

Board of Control—Fri., 1:00 p. m.; Room 28.

Boundary Bridges—Fri., 1:00 p. m.; Room 22.

Cities and Towns—Mon. and Wed., 2:30 p. m.; Lieutenant Governor's Room.

Claims—Wed. and Fri., 4:00 p. m.; Room 22.

Compensation of Public Officers—On call of Chairman.

Conservation—Fri., 3:00 p. m.; Room 28.

County and Township Affairs—Mon., 4:00 p. m.; Room 22.

Departmental Affairs—Tues. and Thurs., 3:00 p. m.; Room 22.

Drainage—Fri., 3:00 p. m.; Room 22.

Educational Institutions—Tues. and Thurs., 2:00 p. m.; Room 22.

Elections and Contests—Fri., 9:30 a. m.; Room 22.

Emergency Legislation—Mon. and Wed., 3:00 p. m.; Lieutenant Governor's Room.

Enrolled Bills—Room 26.

Federal Coordination—Fri., 4:00 p. m.; Room 23.

Fish and Game—Mon., 3:00 p. m.; Room 22.

Highways—Tues. and Thurs., 2:00 p. m.; Room 23.

Horticulture and Forestry—Wed., 4:00 p. m.; Lieutenant Governor's Room.

Insurance—Tues. and Thurs., 1:00 p. m.; Room 22.

Judiciary No. 1—Mon. and Wed., 1:00 p. m.; Room 22.

Judiciary No. 2—Mon. and Wed., 1:00 p. m.; Room 23.

Labor—Tues., 4:00 p. m.; Lieutenant Governor's Room.

Live Stock and Dairy—Thurs., 3:00 p. m.; Lieutenant Governor's Room.

Manufacturing, Commerce and Trade—Tues., 4:00 p. m.; Room 23.

Military Affairs—Wed., 2:30 p. m.; Room 22.

Mines and Mining—Mon., 2:30 p. m.; Room 23.

Motor Vehicles—Tues. and Thurs., 1:30 p. m.; Lieutenant Governor's Room.

Pharmacy—Mon., 9:30 a. m.; Lieutenant Governor's Room.

Political and Judicial Districts—Tues., 9:30 a. m.; Lieutenant Governor's Room.

Printing—Wed., 9:30 a. m.; Lieutenant Governor's Room.

Public Health—Fri., 2:00 p. m.; Lieutenant Governor's Room.

Public Land and Buildings—Mon., 2:00 p. m.; Press.

Public Libraries—Wed., 2:00 p. m.; Room 23.

Public Schools—Tues. and Thurs., 3:30 p. m.; Room 23.

Public Utilities—Thurs., 4:00 p. m.; Room 22.

Railroads and Aeronautics—Fri., 2:00 p. m.; Room 22.

Rules—Press Gallery, any time.

State Planning—Tues., 3:00 p. m.; Lieutenant Governor's Room.

Ways and Means—Mon. and Thurs., 3:30 p. m.; Lieutenant Governor's Room.

JOHN N. CALHOUN, *Chairman.*

PAUL H. ANDERSON.

J. E. DOZE.

The Journal of January 22, 1935, was approved.

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

Senator Harrington, as a substitute motion, moved that the Senate adjourn until 10:00 a. m. Thursday.

The substitution was made.

The substitute motion was adopted, and the Senate adjourned until 10:00 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 24, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Reverend William H. Phelps, pastor of the Presbyterian church of Des Moines.

PETITIONS AND MEMORIALS

The following petitions were received and filed, to be referred to the designated committees:

Senator Doze, from residents of Lucas and Wayne counties, in regard to local option on liquor stores or places where beer is sold. Committee on judiciary No. 2.

Senator Nelson, from veterans of the World War, in regard to tax exemptions upon property belonging to World War veterans. Committee on judiciary No. 1.

Senator Stanley, from Taylor County Farm Debt Advisory Committee, in regard to the Iowa Moratorium Law. Committee on judiciary No. 1.

INTRODUCTION OF BILLS

Senate File 16, by Senator Meyer, a bill for an act to authorize the appointment of the county treasurer as receiver of the rents, issues and profits and income of real estate in order to satisfy the taxes which have been levied on or which are a lien on such real estate and to fix and prescribe the duties of certain public officers with reference to said proceedings.

The bill was read first and second times and passed on file.

Senate File 17, by Senator Shaw, a bill for an act to amend section seven thousand four hundred twenty-d six (7420-d6) Code, 1931, relating to the deposit of public funds and the payment of interest thereon.

The bill was read first and second times and passed on file.

Senate Joint Resolution 2, by Senators Hush and Pendray, a joint resolution proposing so to amend the Constitution of the State of Iowa that the legislative authority of the state will be vested in a single house which shall be known as a General Assembly and which shall have a membership of not less than thirty (30) nor more than fifty (50), and proposing so to coordinate the remaining provisions of the Constitution that they will be harmonized by the aforesaid change.

The resolution was read first and second times and passed on file.

Senator Schmidt offered the following resolution:

SENATE CONCURRENT RESOLUTION 4

Be It Resolved by the Senate, the House concurring: That a joint committee of four members be appointed, two from the House to be appointed by the Speaker, and two from the Senate to be appointed by the President, to investigate the advisability and necessity of erecting an office building to house all state departments and make a report on same before the adjournment of the Forty-sixth General Assembly.

The resolution was read and passed on file.

REPORT OF JOINT COMMITTEE ON EXTRA HELP

MR. PRESIDENT: Your committee on extra help begs leave to make the following report:

Assistant Law Research—Walter H. Beam.

Legislative Assistant in Economics Department—Marion Wood.

Special Clerk to Senate—A. C. Gustafson.

Janitors—James Kirchner, E. W. Powell, Frank Shaffer, T. W. White.

D. W. KIMBERLY, *Chairman for the Senate.*

W. TREIMER, *Chairman for the House.*

M. C. FALVEY.

PAUL SCHMIDT.

VINCENT F. HARRINGTON.

LA MAR FOSTER.

Senator Kimberly moved the committee report be adopted, which motion prevailed and the report was adopted.

REPORT OF SPECIAL COMMITTEE

MR. PRESIDENT: Your special committee appointed to consider the matter of salaries of the employees of the Forty-sixth General Assembly

and to present recommendations, begs leave to recommend the following:

That the wages of all Pages now receiving \$2.00 per diem be raised to \$2.50 per diem.

That the wages of the telephone messenger be raised from \$2.25 per diem to \$3.00 per diem.

That the salary of the Assistant Law Research clerk and Assistant Research clerk, respectively, be set at \$5.85 per diem.

That the balance of the salaries remain the same as in the Forty-fifth General Assembly, with the exception of those already designated.

M. X. GESKE.

CAROLINE C. PENDRAY.

ROY E. STEVENS.

D. W. KIMBERLY.

CHRIS REESE.

On the part of the Senate.

Senator Geske moved that the committee report be adopted.

The question was, Shall the report be adopted?

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

Ayes, 32:

Aschenbrenner	Dewey	Knudson	Pendray
Baldwin	Donohue	Malone	Roelofs
Beardsley	Doze	Mason	Shaw
Bell of Crawford	Driscoll	McArthur	Stanley
Bell of	Fisch	Meyer	Stevens of
Des Moines	Geske	Moore	Wapello
Berg	Goetsch	Nelson	Valentine
Calhoun	Grunewald	Parker	Wilson
Corwin	Kimberly		

Nays, 13:

Billingsley	Hush	Patterson	Shangle
Byers	Husted	Reese	Stevens of
Harrington	Millhone	Schmidt	Decatur
Hopkins	Mullaney		

Absent or not voting, 5:

Anderson	Elthon	Irwin	Miller
Chrystal			

The report was adopted.

The Journal of January 23, 1935, was approved.

The following concurrent resolution was filed with the Secretary:

SENATE CONCURRENT RESOLUTION 5

Whereas, The present interest rate on farm mortgages including those of the Federal Land Banks is excessive and out of rate in other lines to such an extent as to deprive the farmer of necessary credit and greatly reduce his purchasing power, and

Whereas, The National Government is making large expenditure in an effort to hasten and insure the return of prosperity and is able through

its borrowing powers to furnish money for this, and other agencies of the government, and to make loans to railroads, banks and other industries at substantially lower rates than those now afforded to farmers by the Federal Land Banks, and

Whereas, Recovery of purchasing power and the return of prosperity to the agricultural districts is a pre-requisite to the return of national prosperity, now, therefore,

Be It Resolved by the Senate of the State of Iowa, the House of Representatives concurring therein: That we call upon the Congress of the United States to take such action relative to the financing and refinancing of farm mortgages at such a rate of interest as will place them on a parity with other industries and will remedy the said conditions now existing, and such as will permit the great agricultural population to again become substantial purchasers of the products of industry to the end that the return of prosperity may be hastened.

CLAUDE STANLEY.
A. J. SHAW.
WM. S. BEARDSLEY.
G. W. PATTERSON.
JOHN N. CALHOUN.
LEO ELTHON.

INTERIM COMMITTEE REPORT ASSIGNMENTS

The President assigned the sections of the Interim Committee Report, as found on page 55 and following in the Journal of January 17, 1935, to the following committees for special attention:

Public welfare—page 57—departmental affairs.

Public safety—page 63—motor vehicles.

State purchasing agency—page 65—departmental affairs.

County purchasing—page 68—county and township affairs.

Budget control—page 69—county and township affairs.

Conservation—page 70—fish and game, conservation, departmental affairs.

State planning board—page 72—state planning.

COMMITTEE REFERENCES

The President of the Senate ordered Senate Bills and Senate Joint Resolutions, introduced thus far in the session, to be referred to the following committees:

House Concurrent Resolution 3 to the committee on judiciary No. 2.

Senate Joint Resolution 1 to the committee on judiciary No. 2.

Senate Joint Resolution 2 to the committee on judiciary No. 1.

Senate File 1 to the committee on elections and contests.

Senate File 2 to the committee on motor vehicles.

Senate File 3 to the committee on cities and towns.

Senate File 4 to the committee on cities and towns.

Senate File 5 to the committee on railroads and aeronautics.

Senate File 6 to the committee on board of control and public welfare.

Senate File 7 to the committee on judiciary No. 1

Senate File 8 to the committee on judiciary No. 1

Senate File 9 to the committee on ways and means.

Senate File 10 to the committee on judiciary No. 1.

Senate File 11 to the committee on banks and banking.

Senate File 12 to the committee on judiciary No. 1.

Senate File 13 to the committee on judiciary No. 1.

Senate File 14 to the committee on emergency legislation.

Senate File 15 to the committee on motor vehicles.

Senate File 16 to the committee on county and township affairs.

Senate File 17 to the committee on banks and banking.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 25, 1935.

The Senate met in regular session, President pro tempore Harold L. Irwin presiding.

Prayer was offered by Reverend DeLoss Marken, minister of the College Avenue Church of Christ of Des Moines, Iowa.

PETITIONS AND MEMORIALS

The following petitions were received and filed, to be referred to the designated committees:

Senator Elthon, from residents of Forest City, in regard to local option on liquor stores or places where beer is sold. Committee on judiciary No. 2.

Senator Harrington, from the Young People's Democratic Association of Sioux City and Woodbury county, in regard to a State Enabling Act to support the National Recovery Administration. Committee on federal coordination.

Senator Roelofs, from the Resolutions Committee of the Sioux County Farm Bureau, in regard to: Home project work of the Extension Service. Committee on educational institutions. Importing and exporting products. Committee on manufacturing, commerce and trade. State moratorium law. Committee on judiciary No. 1. Abolishment of poll tax. Committee on judiciary No. 2. Allocation of gas tax. Committee on county and township affairs. Building of dams and planting trees. Committee on conservation.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Aschenbrenner for the day, on request of Senator Doze; Senator Stanley for the day, on request of Senator Mullaney; Senator McArthur for the day, on request of Senator Fisch; Senator Driscoll for the day, on request of Senator Fisch; Senator Grunewald for the day, on request of Senator Reese.

INTRODUCTION OF BILLS

Senate File 18, by Senator Calhoun, a bill for an act to amend section twelve thousand two hundred eighty-two (12282), Code, 1931, relating to appeal or writ of error in an action of forcible entry or detainer of real property before a justice of the peace and to permit a stay of proceedings upon filing bond.

The bill was read first and second times and referred to the committee on judiciary No. 1.

Senate File 19, by Senator Malone, a bill for an act to amend section one (1) of chapter thirty-four (34), Acts of the Extra Session of the Forty-fifth (45th) General Assembly relating to noxious weeds.

The bill was read first and second times and referred to the committee on county and township affairs.

Senate File 20, by Senators Irwin, Roelofs, Chrystal, Shaw, Anderson, Hopkins, Driscoll and Geske, a bill for an act to establish a board of examiners in the basic sciences, to provide for its organization, powers, duties and compensation, to provide for examination in the basic sciences, authorizing such board to issue a certificate of proficiency in the basic sciences, which certificate shall be a prerequisite to eligibility for examination for license to practice medicine and surgery, osteopathy, osteopathy and surgery and chiropractic or any other system or method of healing that may hereafter be legalized in the State of Iowa, to define the basic sciences, the healing arts, a license and to provide penalties for the violation of this act.

The bill was read first and second times and referred to the committee on public health.

Senate File 21, by Senators Mullaney and Harrington, a bill for an act authorizing the state executive council to purchase for this state or in conjunction with an adjoining state interstate bridge or bridges and the franchise or franchises thereof connecting a primary or trunk highway of this state with a primary or trunk highway of an adjoining state and to provide funds therefor.

The bill was read first and second times and referred to the committee on boundary bridges.

Senate File 22, by Senator Corwin, a bill for an act to authorize

cities acting under special charter to levy a tax for an emergency fund, providing the uses which may be made of said funds and the conditions under which funds may be transferred therefrom.

The bill was read first and second times and referred to the committee on cities and towns.

Senate File 23, by Senator Corwin, a bill for an act to amend section seventy-four (74) of chapter one hundred twenty-one (121), acts Forty-fifth General Assembly, relating to the millage which may be levied in special charter cities for the city improvement fund.

The bill was read first and second times and referred to the committee on cities and towns.

REPORT OF COMMITTEE ON COMMITTEE ROOMS ADOPTED

Senator Calhoun moved that the report of the committee on committee rooms, as found on page 106 of the Senate Journal, be adopted.

The motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

House Concurrent Resolution 4, requesting the State Printing Board to furnish copies of the Code of 1931, Session Laws, Annotations and tables of corresponding sections to the press galleries and committee rooms.

VIRGIL LEKIN, *Chief Clerk.*

The message was received and placed on file.

Senator Calhoun presented the following concurrent resolution:

SENATE CONCURRENT RESOLUTION 6

Resolved by the Senate, the House concurring: That two thousand copies of the committee books and five hundred copies of the rule books be ordered printed; all to be bound in paper covers.

By unanimous consent granted Senator Calhoun the rules were suspended and the resolution considered.

On motion of Senator Calhoun the resolution was adopted.

AMENDMENTS FILED

Amend Senate Joint Resolution 1 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. That a joint investigating committee of six (6) members of the Forty-sixth General Assembly of the State of Iowa be appointed, three (3) of whom shall be appointed by the President of the Senate from the members of the Senate, and three (3) of whom shall be appointed by the Speaker of the House of Representatives from the members of the House of Representatives, whose duty it shall be to investigate the administration of the Iowa Liquor Control Commission, and the official acts of the individual members of said Commission, and any of the employees thereof, and all of the acts and things done by said Commission, its members and its employees, and make a written detailed report of its findings, together with its recommendations, to the Forty-sixth General Assembly of the State of Iowa.

"Sec. 2. That said joint committee is hereby authorized and empowered to employ such attorneys, auditors, expert investigators and employees as may be by it deemed necessary to a thorough and complete investigation.

"Sec. 3. That the Iowa Liquor Control Commission, individual members thereof, and all employees of said Commission, are hereby directed and ordered to deliver to said joint committee and to the employees thereof, all books, records and papers as may be deemed necessary by said committee in making such investigation.

"Sec. 4. That said joint committee is hereby authorized and empowered to issue subpoenas for all witnesses and the production of books, papers and records from any place within the State of Iowa, and to compel the attendance of witnesses at any place within the State of Iowa where said committee may deem it advisable to hold hearings; that it shall take testimony in writing, under oath, and each member of said joint committee is hereby authorized and empowered to administer an oath; that it may take testimony of witnesses outside of the State; and any person refusing to answer to a subpoena or refusing to give testimony may be punished for contempt in the manner provided by the laws of the State of Iowa.

"Sec. 5. That in the event any person, firm or corporation, or officer, agent or employee thereof, whether residing within or without the State of Iowa, fails or refuses to produce for the examination or inspection of the joint committee, any books, records or papers showing, or in any manner pertaining to, any transactions with the Iowa Liquor Control Commission, or fails or refuses to appear for examination before the joint committee, when requested or subpoenaed by it, such person, firm or corporation, or any officer, agent or employee thereof, so failing or refusing, and the principal of any officer, agent or employee so failing or refusing, shall be thereafter barred and prohibited from transacting any business with the Iowa Liquor Control Commission. The record of any such failing or refusing appearing in the record of the joint committee shall be notice to the Iowa Liquor Control Commission of such failure or refusal and the said Commission, and each individual member

thereof, shall be held responsible in seeing that no future transactions with such person, firm or corporation, or others so failing or refusing, shall be had.

"Sec. 6. That said joint committee shall cause to be taken down in shorthand and transcribed all testimony taken by or for said committee, and shall on completion of the investigation file same with the Chief Clerk of the House of Representatives and the Secretary of the Senate, the same to be made a matter of public record.

"Sec. 7. That all hearings, investigations, examinations of witnesses or records of whatever kind or character pursuant to this Resolution shall be by public or open hearing.

"Sec. 8. There is hereby appropriated out of any funds in the State Treasury, not otherwise appropriated, such sum or sums as may be necessary to pay the expenses of the committee provided for in Section 1 hereof, in making the investigation and preparing the report, or reports, required herein; and the State Comptroller is hereby ordered and directed to draw a warrant on the Treasurer of State of the State of Iowa for all sums certified to by any member of said joint committee to meet and pay the expenses of said committee.

"Sec. 9. This Act, being deemed of immediate importance, shall be in full force and effect from and after its publication in the Cedar Rapids Gazette, a newspaper published at Cedar Rapids, Iowa, and in the Des Moines Daily Record, a newspaper published at Des Moines, Iowa."

FRANK C. BYERS.

GEO. A. WILSON.

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

EXECUTIVE SESSION

The Senate arose from executive session and resumed regular session.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

House Joint Resolution 2, fixing the compensation of officers and employees of the Forty-sixth General Assembly.

VIRGIL LEKIN, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House Joint Resolution 2, a joint resolution fixing the compensation of officers and employees of the Forty-sixth General Assembly.

The joint resolution was read the first and second times.

Senator Geske moved that the rules be suspended and House Joint Resolution 2 be considered, which motion prevailed.

Senator Patterson asked that the resolution be read.

Senator Fisch raised an objection as to the discrepancy in the salary for the position of assistant journal clerk in the Senate as compared to the same position in the House.

Senator Pendray moved to amend House Joint Resolution 2 in section one (1), line 14, by striking the figure \$5.50, and inserting in lieu thereof, the figure \$6.30.

The question was, Shall the amendment be adopted?

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

Ayes, 37:

Anderson	Dewey	Kimberly	Pendray
Baldwin	Doze	Knudson	Reese
Beardsley	Elthon	Malone	Roelofs
Bell of	Fisch	Mason	Shangle
Des Moines	Geske	Meyer	Shaw
Billingsley	Goetsch	Miller	Stevens of
Byers	Harrington	Millhone	Decatur
Calhoun	Hush	Moore	Stevens of
Chrystal	Husted	Parker	Wapello
Corwin	Irwin	Patterson	Valentine

Nays, 2:

Hopkins Schmidt

Absent or not voting, 11:

Aschenbrenner	Donohue	McArthur	Stanley
Bell of Crawford	Driscoll	Mullaney	Wilson
Berg	Grunewald	Nelson	

The amendment was adopted.

The question was, Shall the joint resolution as amended be adopted.

On the question, Shall the joint resolution as amended pass? the vote was:

Ayes, 33:

Anderson	Dewey	Knudson	Reese
Baldwin	Doze	Malone	Roelofs
Bell of	Elthon	Mason	Schmidt
Des Moines	Fisch	Meyer	Shangle
Billingsley	Geske	Millhone	Stevens of
Byers	Goetsch	Moore	Decatur
Calhoun	Harrington	Mullaney	Stevens of
Chrystal	Irwin	Parker	Wapello
Corwin	Kimberly	Pendray	Valentine

Nays, 7:

Beardsley	Hopkins	Husted	Patterson
Berg	Hush	Nelson	

Absent or not voting, 10:

Aschenbrenner	Driscoll	Miller	Stanley
Bell of Crawford	Grunewald	Shaw	Wilson
Donohue	McArthur		

The joint resolution as amended having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

The Journal of January 24, 1935, was approved.

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

AFTERNOON SESSION

Having recessed until 1:30 p. m., the Senate reconvened, President pro tempore Harold L. Irwin presiding.

Senator Baldwin asked unanimous consent to return to the introduction of bills.

The request was granted.

INTRODUCTION OF BILLS

Senate File 24, by Senator Baldwin, a bill for an act authorizing the issue of a patent to the south half of the northeast one-fourth ($\frac{1}{4}$), of section twenty-three (23), township eighty-eight (88), north, range one (1), east of fifth (5th), P. M., Dubuque county, Iowa.

The bill was read first and second times and referred to the committee on judiciary No. 1.

Senator Mullaney moved the Senate adjourn until 10:00 a. m. Monday.

Senator Byers moved that, as a substitute motion, the Senate adjourn until 1:00 p. m. Monday.

The substitution was made.

The substitute motion prevailed, and the Senate adjourned until 1:00 p. m. Monday, January 28, 1935.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 28, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Invocation was delivered by Rev. W. J. Hastie, of Albia, pastor of the Christian church of Exline.

PETITIONS AND MEMORIALS

The following petitions were received and filed, to be referred to the designated committees:

Senator Chrystal, from residents of Carroll and Greene counties, in regard to local option on liquor stores or places where beer is sold. Committee on judiciary No. 2.

Senator Schmidt, from residents of Johnson county, opposing the reduction of salaries of county officials. Committee on compensation of public officers.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Knudson for the day, on request of Senator Mullaney; Senator Anderson for the day, on request of Senator Mullaney.

INTRODUCTION OF BILLS

Senate File 25, by Senator Baldwin, a bill for an act to amend section twenty-three (23) of chapter twenty-five (25) of the acts of the Extra Session of the Forty-fifth General Assembly (relating to the sale of beer) as to authorize the sale of beer during certain hours on Sundays.

The bill was read first and second times and referred to the committee on judiciary No. 2.

Senate File 26, by Senator Millhone, a bill for an act to amend section five thousand twenty-nine (5029), Code, 1931, relating to speed standard of motor vehicles operated upon the highways.

The bill was read first and second times and referred to the committee on motor vehicles.

Senate File 27, by Senator Millhone, a bill for an act to amend section eleven thousand five hundred eight (11508), Code, 1931, relating to the signing and rendering of verdict by jury.

The bill was read first and second times and referred to the committee on judiciary No. 1.

Senate File 28, by Senator Elthon, a bill for an act to amend sections ninety-four hundred four (9404), ninety-four hundred five (9405) and chapter four hundred eighteen (418), Code, 1931, relating to interest, as to reduce the legal rate of interest on financial obligations.

The bill was read first and second times and referred to the committee on judiciary No. 1.

Senate File 29, by Senators Calhoun and Beardsley, a bill for an act to prohibit state officials and employees from lobbying and to provide a penalty therefor.

The bill was read first and second times and referred to the committee on rules.

The Journal of January 25, 1935, was approved.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

Report of joint committee on extra help.

VIRGIL LEKIN, *Chief Clerk.*

Senator Reese asked unanimous consent to return to resolutions. The request was granted.

SENATE RESOLUTION 2 CONSIDERED

Senator Reese called up for consideration Senate Resolution 2, as found on page 36 of the Journal.

Senator Patterson moved that action on Senate Resolution 2 be deferred at this time.

Senator Elthon moved that, as a substitute motion, the Senate be at ease until the fall of the gavel.

Senator Patterson withdrew his motion, the substitution was made, and the motion by Senator Elthon prevailed.

At the fall of the gavel the Senate came to order.

Senator Malone asked unanimous consent that the bills being prepared by the joint emergency legislation committee be printed in bill form.

The request was granted.

SENATE FILE 20 ORDERED PRINTED

Senator Roelofs was granted unanimous consent to have six hundred additional copies of Senate File 20 printed.

Senator Reese was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate Joint Resolution 3, by Senator Reese, a joint resolution creating a joint investigating committee to investigate alleged political activity on the part of the executives in the Iowa Solders' Home located at Marshalltown, Iowa, and such other conditions existing which an investigation might correct, said committee to report its findings to the General Assembly, and to appropriate funds therefor.

The bill was read first and second times and referred to the committee on appropriations.

APPOINTMENT OF CLERK

Frances Aliber appeared before the bar of the Senate and took the required oath of office as clerk to the secretary of the Senate.

On motion of Senator Shangle, the Senate adjourned until 10:00 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 29, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. J. H. Taylor of New Sharon, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Anderson indefinitely, due to illness, on request of Senator Mullaney; Senator Knudson for the day, on request of Senator Kimberly.

INTRODUCTION OF BILLS

Senate File 30, by Senator Calhoun, a bill for an act to amend section six thousand nine hundred fifty-three (6953), Code, 1931, relating to taxable property.

The bill was read first and second times and referred to committee on ways and means.

Senate File 31, by Senator Doze, a bill for an act to amend section ninety-eight hundred eight-five (9885), Code, 1931, relating to the production, manufacture, sale, and distribution of commodities of commerce and providing that telegraph and telephone service shall be construed to be commodities of commerce.

The bill was read first and second times and referred to committee on public utilities.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Joint Resolution 2, setting the salaries of the officers and employees of the Forty-sixth General Assembly.

Also: That the House has adopted the following Senate Concurrent Resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 6, providing for the printing of committee books and rule books of the General Assembly.

VIRGIL LEKIN, *Chief Clerk.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled House Joint Resolution 2.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The president of the Senate announced that, as president of the Senate, he had signed in the presence of the Senate, House Joint Resolution 2.

Senator Malone moved that the Senate recess until the fall of the gavel.

The motion prevailed.

The Senate came to order at the fall of the gavel, President pro tempore Harold L. Irwin presiding.

Senator Malone was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 32, by Senator Hopkins, a bill for an act to make an emergency appropriation for the purpose of paying the necessary expenses of worthy and deserving blind students who are residents of the state and who are attending institutions for higher learning.

The bill was read first and second times and referred to committee on appropriations.

Senate File 33, by committee on emergency legislation, a bill for an act to amend chapter one hundred seventy-nine (179), sections

one (1), four (4), and five (5), acts of the Forty-fifth General Assembly, relating to the extension of the redemption period from the sale under foreclosure of real estate, where deeds of conveyance have not already passed, and to add thereto provisions providing for the making of applications for further extensions under said act as amended herewith, and providing for a further extension of the period of redemption, and also providing for the kind and manner of notices to be given.

The bill was read first and second times and placed on the calendar.

Senate File 34, by committee on emergency legislation, a bill for an emergency act relating to the foreclosure of real estate mortgages and deeds of trust; providing for the continuance of such actions; providing for determination by the court of the rights of the holder of such mortgage, owner or owners of the real estate and persons liable on such mortgage, deed of trust, or note secured thereby to the possession of real estate, and to the rents, income and profits therefrom; providing for the distribution thereof; providing for rental terms; providing that applications heretofore filed under chapter one hundred eighty-two (182), acts of the Forty-fifth General Assembly, whether ruled upon or not shall be considered as refiled under this act, and providing for the termination of this act.

The bill was read first and second times and placed on the calendar.

SENATE FILE 34 MADE SPECIAL ORDER

Senator Malone moved that Senate File 34 be made a special order of business to be considered at 2:00 p. m.

Senator Roelofs moved that, as a substitute motion, the bill be made an order of special business at 10:00 a. m. Wednesday morning.

Senator Malone, by unanimous consent, withdrew his motion, and the motion of Senator Roelofs was substituted.

COMMUNICATION FROM THE SECRETARY OF STATE

January 14, 1935.

TO THE HONORABLE,
THE SECRETARY OF THE SENATE:

I am transmitting herewith filing in the matter of the contest of the election of C. E. Malone as State Senator from the 18th Senatorial District, such filing having been made by Frank Pelzer, Marne, Iowa.

Kindly sign the acknowledgment below for our files.

Very truly yours,
MRS. ALEX MILLER, *Secretary of State.*

The Journal of January 28, 1935, was approved.

AMENDMENTS FILED

Amend Senate Joint Resolution 3 by inserting after section 2 the following:

"Sec. 3. That said investigating committee be and is hereby authorized to issue subpoenas for the production of witnesses before it, and to compel the attendance of witnesses and the disclosure of any information said witnesses may possess, and to require the production of books and records, and to fully inquire into any matters relating to said Iowa Soldiers' Home."

Amend by renumbering the following sections.

CHRIS REESE.

Amend Senate File 34 as follows:

1. By inserting after the word "not" in line 11 of the title thereof a comma (,).

2. By striking the words "delay of foreclosures" in line 2 of the first paragraph of the preamble thereof and substituting in lieu thereof the words "continuance of actions for the foreclosure."

3. By inserting after the comma (,) in line 6 of the second paragraph of the preamble thereof the word "and".

4. By inserting after the third comma (,) in line 4 of the third paragraph of the preamble thereof the words "it was".

5. By inserting after the word "held" in line 4 of the third paragraph of the preamble thereof the word "that".

6. By inserting after the word "character" in line 5 of the third paragraph of the preamble thereof the word "was".

7. By striking from line 5 of the third paragraph of the preamble thereof the words "to be".

8. By striking from line 8 of the third paragraph of the preamble thereof the words "stating in its reasoning" and substituting in lieu thereof the words "and it was stated".

9. By striking the word "delay" in line 4 of the fourth paragraph of the preamble thereof and substituting in lieu thereof the word "continuance".

10. By striking the word "foreclosures" in line 4 of the fourth paragraph of the preamble thereof and substituting in lieu thereof the words "foreclosure actions".

11. By striking from lines 2 and 3 of the fifth paragraph of the preamble thereof the words "issued in the year 1933,".

12. By striking from line 5 of the sixth paragraph of the preamble thereof the words "in the month of March, 1933," and substituting in lieu thereof the words "at the time of the enactment of chapter one hundred eighty-two (182), acts of the Forty-fifth General Assembly,".

13. By striking from lines 29 and 30 of section 2 thereof the words "said order or orders, or for other good and sufficient cause shown, set aside".

14. By striking the word "one" in line 2 of section 5 thereof and substituting in lieu thereof the words "a mortgage or deed of trust".

15. By striking the word "on" in line 2 of section 2 thereof and substituting in lieu thereof the word "or".

JOHN K. VALENTINE.

Amend Senate File 34 by the committee on emergency legislation by adding after the period in line 34 the following:

"Provided, however, that the provisions of this act shall not apply when the real estate involved, or a substantial part thereof, consists of industrial or commercial property which cannot be readily leased except for a period of years, and there is no existing lease of the premises covering the two-year period commencing March 1, 1935."

VINCENT F. HARRINGTON.

Senator Shangle moved that the Senate recess until 2:00 p. m.

As a substitute motion, Senator Wilson moved that the Senate adjourn until 10:00 a. m., Wednesday.

The substitution was made.

The motion by Senator Wilson prevailed, and the Senate adjourned until 10:00 a. m., Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 30, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Reverend George E. Purdy, pastor of the Grant Park Christian church in Des Moines, Iowa.

COMMUNICATION FILED WITH SECRETARY

Be It Resolved, That we, the undersigned, pledge ourselves to support an act or resolution which will make Columbus Day a legal holiday in the state of Iowa:

HOWARD C. BALDWIN.

CHRIS REESE.

FRANK M. STEVENS.

L. H. MEYER.

H. D. MILLER.

E. I. MASON.

I. G. CRYSTAL.

M. X. GESKE.

M. MOORE.

C. E. MALONE.

WM. McARTHUR.

VINCENT F. HARRINGTON.

CARL ASCHENBRENNER.

JOHN K. VALENTINE.

SAM D. GOETSCH.

J. E. DOZE.

L. T. SHANGLE.

H. L. IRWIN.

ANDREW BELL.

T. W. MULLANEY.

T. F. DRISCOLL.

H. J. GRUNEWALD.

ROY E. STEVENS.

INTRODUCTION OF BILLS

Senate File 35, by Senators Baldwin, Reese, F. Stevens, Meyer, Miller, Mason, Chrystal, Geske, Moore, Malone, Aschenbrenner, Valentine, Goetsch, Doze, Shangle, Irwin, A. Bell, Mullaney, Driscoll, Grunewald, McArthur, R. Stevens, Harrington, a bill for an act to provide for and designate the twelfth day of October of each year as a state holiday, naming the same as Columbus Day, and to provide for the display of the flag of the United States on all state buildings, and to set aside a time for memorials in schools, churches and other suitable places, so as to be in accord with similar legislative enactments of other states and with the act of the United States Congress approved on April 30, 1934.

The bill was read first and second times and referred to the committee on judiciary No. 2.

Senate File 36, by Senator Knudson (Ellsworth), a bill for an act to prohibit the direct or indirect abandonment of railway stations without an authorizing order of the board of railroad commissioners and to fix and determine the procedure before said board in said matter.

The bill was read first and second times and referred to the committee on railroads and aeronautics.

Senate File 37, by Senator Driscoll, a bill for an act to amend section seventy-nine hundred seventy-two (7972) of the Code, 1931, relating to construction and equipment of cabooses.

The bill was read first and second times and referred to the committee on railroads and aeronautics.

Senate File 38, by Senator Berg, a bill for an act to make an emergency appropriation for salaries, support and maintenance of the Iowa State Teachers College, Cedar Falls, Iowa.

The bill was read first and second times and referred to the committee on appropriations.

REPORT OF COMMITTEE

Senator George A. Wilson submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File 3, a bill for an act to amend section sixty-nine hundred ten (6910), Code, 1931, relating to the power of cities acting under special charter to purchase property at tax sale, begs leave to report it has had the same under consideration and recommends the same do pass.

GEORGE A. WILSON, *Chairman.*

Ordered passed on file.

Senator George A. Wilson submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File 4, a bill for an act to amend sections sixty-eight hundred seventy-three (6873) and sixty-eight hundred seventy-four (6874), Code, 1931, relating to notice of tax sale and cost of publication thereof in special charter cities, begs leave to report it has had the same under consideration and recommends the same do pass.

GEORGE A. WILSON, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS

The time having arrived for the consideration of Senate File 34, a bill for an act relating to the foreclosure of real estate mortgages and deeds of trust; providing for the continuance of such actions; providing for determination by the court of the rights of the holder of such mortgage, owner or owners of the real estate and persons liable on such mortgage, deed of trust, or note secured thereby to the possession of real estate, and to the rents, income and profits therefrom; providing for the distribution thereof; providing for rental terms; providing that applications heretofore filed under chapter one hundred eighty-two (182), acts of the Forty-fifth General Assembly, whether ruled upon or not shall be considered as refiled under this act, and providing for the termination of this act, the bill was taken up.

The bill was read for information.

Senator Valentine was granted unanimous consent to withdraw section one (1) of his amendment to Senate File 34, as found on page 126 of the Journal.

Senator Stanley offered the following amendment and moved its adoption:

Amend Senate File 34 by striking the title and inserting in lieu thereof the following: "An emergency act relating to the foreclosure of real estate mortgages and deeds of trust; providing for the continuance of such actions; providing for determination by the court of the rights, of the holder of such mortgages, and of the owner or owners of the real estate, and of persons liable on such mortgages, deeds of trust, or the notes secured thereby, to the possession of the real estate, and to the rents, income and profits therefrom; providing that applications heretofore filed under chapter one hundred eighty-two (182), acts of the Forty-fifth General Assembly, whether ruled upon or not, shall be considered as refiled under this act; and providing for the termination of this act."

Senator Stanley moved to defer action on this amendment.

The motion prevailed.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 34 by striking the words "delay of foreclosures" in line 2 of the first paragraph of the preamble thereof and substituting in lieu thereof the words "continuance of actions for the foreclosure."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend by inserting after the comma in line 6 of the second paragraph of the preamble thereof the word "and."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendments and moved their adoption:

Amend by inserting after the third comma in line 4 of the third paragraph of the preamble thereof the words "it was"; by inserting after the word "held" in line 4 of the third paragraph of the preamble thereof the word "that"; by inserting after the word "character" in line 5 of the third paragraph of the preamble thereof the word "was"; and by striking from line 5 of the third paragraph of the preamble thereof the words "to be."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend by striking from line 8 of the third paragraph of the preamble thereof the words "stating in its reasoning" and substituting in lieu thereof the words "and it was stated."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend by striking the word "delay" in line 4 of the fourth paragraph of the preamble thereof and substituting in lieu thereof the word "continuance"; and by striking the word "foreclosures" in line 4 of the fourth paragraph of the preamble thereof and substituting in lieu thereof the words "foreclosure actions."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend by striking from lines 2 and 3 of the fifth paragraph of the preamble thereof the words "issued in the year 1933,."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend by striking from line 5 of the sixth paragraph of the preamble

thereof the words "in the month of March, 1933," and substituting in lieu thereof the words "at the time of the enactment of chapter one hundred eighty-two (182), acts of the Forty-fifth General Assembly,"

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend by striking from lines 29 and 30 of section 2 thereof the words "said order or orders, or for other good and sufficient cause, set aside."

The motion prevailed and the amendment was adopted.

Senator Valentine asked unanimous consent to withdraw section 14 of the amendment as found on page 127 of the Journal.

The request was granted.

Senator Valentine offered the following amendment and moved its adoption:

Amend by striking all of section 5 thereof and substituting the following: "Sec. 5. The provisions of this act shall apply to any mortgages or deeds of trust executed prior to March 1, 1934 and subsequently renewed."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend by striking the word "on" in line 2 of section 2 thereof and substituting in lieu thereof the word "or."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend by adding after the word "trial" in line 31 of section 2 thereof the word "as."

The motion prevailed and the amendment was adopted.

Senator Calhoun offered the following amendment and moved its adoption:

Amend by inserting after the word "cause" in line 8 of section 2, the following: "and residents of the state of Iowa."

Senator Calhoun asked unanimous consent to withdraw the amendment. The request was granted.

Senator Harrington offered the following amendment and moved its adoption:

Amend by adding after the period in line 34 the following:

"Provided, however, that the provisions of this act shall not apply when the real estate involved, or a substantial part thereof, consists of industrial or commercial property which cannot be readily leased except for a period of years, and there is no existing lease of the premises covering the two-year period commencing March 1, 1935."

Senator Harrington asked unanimous consent to change the amendment to read "line 33" rather than "line 34." The request was granted.

Senator Harrington asked unanimous consent to withdraw the amendment. The request was granted.

President pro tempore Harold L. Irwin took the chair at 11:26 a. m.

Senator Moore offered the following amendment and moved its adoption:

Amend by striking the word "March" in line 3 of section 4, and substituting in lieu thereof the word "January"; also by striking the word "March" in line 5, section 4, and substituting in lieu thereof the word "January."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend by striking the words and figures "March 1, 1934" in line 3 of the amendment adopted to section 5 and substituting in lieu thereof the words and figures "January 1, 1934."

The motion prevailed and the amendment was adopted.

Senator Byers offered the following amendment and moved its adoption:

Amend by striking the words "which were" in line 2 of section 4 thereof.

The motion prevailed and the amendment was adopted.

Senator Stanley offered the following amendment and moved its adoption:

Amend Senate File 34 by striking the title and inserting in lieu thereof the following: "An emergency act relating to the foreclosure of real estate mortgages and deeds of trust; providing for the continuance of such actions; providing for determination by the court of the rights, of the holder of such mortgages, and of the owner or owners of the real estate, and of persons liable on such mortgages, deeds of trust, or the notes secured thereby, to the possession of the real estate, and to the rents,

income and profits therefrom; providing that applications heretofore filed under chapter one hundred eighty-two (182), acts of the Forty-fifth General Assembly, whether ruled upon or not, shall be considered as refiled under this act; and providing for the termination of this act."

Senator Hush offered the following amendment to the amendment by Senator Stanley and moved its adoption:

Amend by inserting after the semi-colon following the word "therefrom" in line ten (10) the following: "providing for suspension of conflicting acts;"

The motion prevailed and the amendment was adopted.

The amendment by Senator Stanley as amended was adopted.

Senator Malone moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 50:

Anderson	Donohue	Kimberly	Pendray
Aschenbrenner	Doze	Knudson	Reese
Baldwin	Driscoll	Malone	Roelofs
Beardsley	Elthon	Mason	Schmidt
Bell of Crawford	Fisch	McArthur	Shangle
Bell of	Geske	Meyer	Shaw
Des Moines	Goetsch	Miller	Stanley
Berg	Grunewald	Millhone	Stevens of
Billingsley	Harrington	Moore	Decatur
Byers	Hopkins	Mullaney	Stevens of
Calhoun	Hush	Nelson	Wapello
Chrystal	Husted	Parker	Valentine
Corwin	Irwin	Patterson	Wilson
Dewey			

Nays, none.

Absent or not voting, none.

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

Senator Stanley moved that the vote by which Senate File 34 passed the Senate be reconsidered and the motion to reconsider be laid on the table. The motion prevailed.

Senator Stanley asked unanimous consent that the bill be messaged to the House immediately. The request was granted.

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

EXECUTIVE SESSION

The Senate confirmed the appointment of Walter M. Rosene, as a member of the State Fish and Game Commission to fill the unexpired term of J. N. Darling ending May 1, 1935.

The Senate also confirmed the appointment of J. Ray Murphy, as a member of the State Board of Assessment and Review to fill the unexpired term of J. W. Reynolds ending June 30, 1937.

The Senate arose from executive session and resumed regular session.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following report of joint committee on extra help, in which the concurrence of the Senate is asked:

Additional report of joint committee on extra help relating to legislative assistant in economics department, janitors and elevator tender.

VIRGIL LEKIN, *Chief Clerk.*

ADDITIONAL REPORT OF JOINT COMMITTEE ON EXTRA HELP

MR. PRESIDENT: Your committee on extra help begs leave to make the following report:

Legislative assistant in economics department—Marion Wood.

Janitors—James Kirchner, E. W. Powell, Frank Shaffer, P. W. White.

Elevator tender—George Hamilton.

D. W. KIMBERLY,

Chairman for the Senate.

W. TREIMER,

Chairman for the House.

M. C. FALVEY.

PAUL SCHMIDT.

VINCENT F. HARRINGTON.

LA MAR FOSTER.

Senator Kimberly moved that the additional report of the joint committee on extra help be adopted.

The motion prevailed and the report was adopted.

SENATE FILE 34 ORDERED REPRINTED

Senator Valentine was granted unanimous consent to have Senate File 34 as amended and passed by the Senate reprinted.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 31, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Invocation was delivered by Rev. H. H. Caswell, of the Four Square Gospel church in Des Moines, Iowa.

President pro tempore Harold L. Irwin took the chair at 10:15 a. m.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Stevens of Decatur for the day on request of Senator Shangle.

INTRODUCTION OF BILLS

Senate File 39, by Senator Chrystal, a bill for an act making appropriation to defray the expense of the inaugural ceremonies.

The bill was read first and second times and referred to the committee on appropriations.

Senate File 40, by Senator Calhoun, a bill for an act to require state officials and employees to furnish information to members of the General Assembly and providing a penalty for refusal or failure to do so.

The bill was read first and second times and referred to the committee on rules.

Senate File 41, by Senator Corwin, a bill for an act to legalize the transfer of money from the light fund of the city of Muscatine, Iowa, to the special fire maintenance fund and to authorize the issuance of bonds to fund the same.

The bill was read first and second times and referred to the committee on cities and towns.

Senate File 42, by Senator Harrington, a bill for an act to license and regulate all stores or other places of business selling any kind of merchandise or supplies, food or drink at retail; to

encourage individually owned and operated places of business; to promote public welfare; to provide revenue; to allocate such revenue to schools; to require reports of the operations of all places of business selling any kind of merchandise or supplies at retail; to place the administration of the provisions of this act in the state board of assessment and review; to give the state board of assessment and review power to establish rules and regulations and to prescribe form of application and reports; to place the levying and collection of the license fees and taxes provided in this act in the hands of the state board of assessment and review; to make violations of the provisions of this act a misdemeanor and to provide penalties therefor.

The bill was read first and second times and referred to the committee on ways and means.

Senate File 43, by Senator Reese, a bill for an act limiting trains to a length that can be handled with safety to the traveling public and employees.

The bill was read first and second times and referred to the committee on railroads and aeronautics.

Senate File 44, by Senator Husted, a bill for an act to amend section two (2) of chapter eighty-two (82) and paragraphs two (2) and three (3) of section sixty-two (62), chapter eighty-two (82), acts of the Forty-fifth General Assembly Extra Session, relating to the apportionment of certain special taxes.

The bill was read first and second times and referred to the committee on county and township affairs.

Senator Valentine asked unanimous consent to correct the Journal of January 30, 1935, on page 132 by striking in line 2 of the first amendment offered by the Senator the word "shown."

The request was granted and the Journal of January 30, 1935 approved.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

House File 56, a bill for an act to amend chapter one hundred seventy-nine (179), sections 1, 4, and 5, acts of the Forty-fifth General Assembly,

relating to the extension of the redemption period from the sale under foreclosure of real estate.

VIRGIL LEKIN, *Chief Clerk.*

Senator Stanley asked unanimous consent that the rules be suspended and House File 56, a bill for an act to amend chapter one hundred seventy-nine (179), sections one (1), four (4) and five (5), acts of the Forty-fifth General Assembly, relating to the extension of the redemption period from the sale under foreclosure of real estate, where deeds of conveyance have not already passed, and to add thereto provisions providing for the making of applications for further extensions under said act as amended herewith, and providing for a further extension of the period of redemption, and also providing for the kind and manner of notices to be given, be placed on the calendar. The request was granted.

The bill was read first and second times and placed on the calendar.

Senator Stanley asked unanimous consent that the rules be suspended and that House File 56 be made a special order of business to be considered at 2:00 p. m.

Objections were raised and the request was denied.

Senator Wilson moved that the bill be made a special order of business for 10:00 a. m. Friday.

Roll call was demanded.

The question was, Shall the motion prevail?

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

Ayes, 18:

Bell of Crawford	Driscoll	Kimberly	Parker
Byers	Geske	Knudson	Patterson
Calhoun	Harrington	Millhone	Schmidt
Corwin	Hopkins	Moore	Wilson
Dewey	Husted		

Nays, 26:

Beardsley	Doze	McArthur	Roelofs
Bell of	Elthon	Meyer	Shangle
Des Moines	Goetsch	Miller	Shaw
Berg	Grunewald	Mullaney	Stanley
Billingsley	Hush	Nelson	Stevens of
Chrystal	Malone	Pendray	Wapello
Donohue	Mason	Reese	Valentine

Absent or not voting, 6:

Anderson	Baldwin	Irwin	Stevens of
Aschenbrenner	Fisch		Decatur

The motion was lost.

HOUSE FILE 56 MADE SPECIAL ORDER

Senator Stanley asked unanimous consent that the rules be suspended and that House File 56 receive its second and third reading upon the same day, be considered, and made a special order for 2:30 p. m.

The request was granted.

SENATE FILE 9 WITHDRAWN

Senator Husted was granted unanimous consent to withdraw Senate File 9 from further consideration by the Senate.

THIRD READING OF BILLS

Senator Kimberly was granted unanimous consent that Senate File 4, a bill for an act to amend sections sixty-eight hundred seventy-three (6873), and sixty-eight hundred seventy-four (6874), Code, 1931, relating to notice of tax sale and cost of publication thereof in special charter cities, be taken up and considered.

The bill was read for information.

Senator Kimberly moved that the report of the committee on cities and towns with regard to Senate File 4, as found on page 129 of the Journal, be adopted. The motion prevailed and the report was adopted.

Senator Kimberly was granted unanimous consent to amend Senate File 4 by inserting in the publication clause the names of the following newspapers, "Davenport Times", and "Davenport Democrat."

Senator Kimberly moved that the reading just had be considered the third reading and the bill be placed upon its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 45:

Aschenbrenner	Berg	Corwin	Driscoll
Beardsley	Billingsley	Dewey	Elthon
Bell of	Byers	Donohue	Fisch
Des Moines	Calhoun	Doze	Geske

Goetsch	Knudson	Mullaney	Shangle
Grunewald	Malone	Nelson	Shaw
Harrington	Mason	Parker	Stanley
Hopkins	McArthur	Patterson	Stevens of
Hush	Meyer	Pendray	Wapello
Husted	Miller	Reese	Valentine
Irwin	Millhone	Roelofs	Wilson
Kimberly	Moore	Schmidt	

Nays, none.

Absent or not voting, 5:

Anderson	Bell of Crawford	Chrystal	Stevens of
Baldwin			Decatur

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

Senator Kimberly was granted unanimous consent that Senate File 3, a bill for an act to amend section sixty-nine hundred ten (6910), Code, 1931, relating to the power of cities acting under special charter to purchase property at tax sale, be taken up and considered.

Senator Kimberly moved that the report of the committee on cities and towns with regard to Senate File 3, as found on page 129 of the Journal, be adopted. The motion prevailed and the report was adopted.

The bill was read for information.

Senator Kimberly was granted unanimous consent to amend Senate File 3 by inserting in the publication clause the names of the following newspapers, "Davenport Times", and "Davenport Democrat."

Senator Kimberly moved unanimous consent that the reading just had be considered the third reading and the bill placed upon its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 46:

Aschenbrenner	Doze	Kimberly	Patterson
Beardsley	Driscoll	Knudson	Pendray
Bell of Crawford	Elthon	Malone	Reese
Bell of	Fisch	Mason	Roelofs
Des Moines	Gecke	McArthur	Schmidt
Berg	Goetsch	Meyer	Shangle
Billingsley	Grunewald	Miller	Shaw
Byers	Harrington	Millhone	Stanley
Calhoun	Hopkins	Moore	Stevens of
Corwin	Hush	Mullaney	Wapello
Dewey	Husted	Nelson	Valentine
Donohue	Irwin	Parker	Wilson

Nays, none.

Absent or not voting, 4:

Anderson	Baldwin	Chrystal	Stevens of Decatur
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Shangle was granted unanimous consent to return to committee reports.

REPORT OF THE CONTEST COMMITTEE

MR. PRESIDENT: We, your contest committee, to which was referred the contested election case of Frank Pelzer, contestant vs. C. E. Malone, incumbent, from the 18th Senatorial district of Iowa, beg leave to report that after due hearing and consideration of the matter and inspecting the pleadings filed and hearing the evidence adduced and being now fully advised in the premises, report our findings as follows:

1. We find that at the senatorial election for state senator in the 18th District of Iowa at the general election on November 6, 1934, the Honorable Charles E. Malone obtained a clear majority of all the legal ballots cast for said office at said election.

2. That at the time of said election the said Charles E. Malone was duly eligible under the constitution and laws of the state of Iowa to hold the office of state senator from said district and that said eligibility still continues. We therefore recommend that Charles E. Malone be declared to be the duly elected senator to the State Senate of Iowa from the 18th Senatorial District for the current term, and that he be granted a permanent seat in this body from said 18th Senatorial District.

L. T. SHANGLE, *Chairman.*

CLAUDE STANLEY.

ANDREW BELL.

A. CLAIRE DEWEY.

VINCENT F. HARRINGTON.

Senator Shangle moved that the committee report be adopted.

The question was, Shall the report be adopted?

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

Ayes, 45:

Aschenbrenner	Doze	Kimberly	Pendray
Beardsley	Driscoll	Knudson	Reese
Bell of Crawford	Elthon	Mason	Roelofs
Bell of Des Moines	Fisch	McArthur	Schmidt
Berg	Geske	Meyer	Shangle
Billingsley	Goetsch	Miller	Shaw
Byers	Grunewald	Millhone	Stanley
Calhoun	Harrington	Moore	Stevens of Wapello
Corwin	Hopkins	Mullaney	Valentine
Dewey	Hush	Nelson	Wilson
Donohue	Husted	Parker	
	Irwin	Patterson	

Nays, none.

Absent or not voting, 5:

Anderson
Baldwin

Chrystal

Malone

Stevens of
Decatur

The committee report was adopted.

Senator Malone asked unanimous consent to be excused from voting, which was granted.

REPORTS OF COMMITTEES

Senator Roy E. Stevens submitted the following reports:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate Joint Resolution 3, a bill for an act creating a joint investigation committee to investigate alleged political activity on the part of executives in the Iowa Soldiers' Home located at Marshalltown, Iowa, and such other conditions existing which an investigation might correct, begs leave to report it has had the same under consideration and recommends the same be amended as follows:

Amend section 3, by inserting after the word "herein", in line 5, the following: "and for the payment of witness fees for witnesses appearing before the said committee, and for the fees of officers serving subpoenas to be issued by said committee."

Amend section 3, by striking the words "such sums" in line 2, and "or sums" in line 3, and insert "the sum of three hundred dollars, or as much thereof."

And further recommend it be placed on the calendar for the consideration of the Senate, without recommendation.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 32, a bill for an act to make an emergency appropriation for the purpose of paying the necessary expenses of worthy and deserving blind students who are residents of the state and who are attending institutions for higher learning, beg leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Senator Wilson was granted unanimous consent to return to resolutions.

Senator Wilson offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION 7

Whereas, George Logan was employed by the Forty-sixth General Assembly as extra help and was entitled to compensation therefor in accordance with House Joint Resolution 2, and

Whereas, said George Logan did work and was entitled to compensation for his work, from the 14th day of January, 1935, up to and including the 29th day of January, 1935, and

Whereas, said George Logan died during the night of the 29th day of January, 1935, therefore

Be It Resolved by the Senate, the House Concurring: That the State Comptroller be authorized and directed to issue warrant for payment for services of George Logan, deceased, who was employed as janitor, extra help, and was to have been paid according to House Joint Resolution 2, as provided in House Joint Resolution 2, into the possession of the Secretary of the Senate, so that it may be by him paid to such party or parties as are entitled thereto, to defray burial expenses of said George Logan.

Senator Wilson asked unanimous consent that the concurrent resolution be considered at this time. The request was granted.

Senator Wilson moved that the concurrent resolution be adopted.

The motion prevailed and the concurrent resolution was adopted.

Senator Wilson offered the following resolution:

SENATE RESOLUTION 3

A resolution providing for the purchase of jackets for the pages of the Senate of the Forty-sixth General Assembly.

Whereas, There are eight regular pages, one page for the Lieutenant Governor and one page for the secretary of the Senate, and

Whereas, It has been the custom and tradition of the Senate of the state of Iowa, that pages employed by the Senate wear jackets, and

Whereas, The Senate of the Forty-sixth General Assembly desires that its pages wear such jackets, therefore

Be It Resolved by the Senate of the Forty-sixth General Assembly, That the secretary of the Senate be authorized and directed to order jackets for the use of the pages employed by the Senate of the Forty-sixth General Assembly, at an expense to said Forty-sixth General Assembly of not more than five dollars (\$5.00) per jacket.

Senator Wilson asked unanimous consent that the resolution be considered at this time, which was granted.

Senator Wilson moved the resolution be adopted.

The motion prevailed and the resolution was adopted.

Senator Shangle requested a roll call.

Senator Wilson raised the point of order that the vote had been announced. The chair ruled the point was well taken.

On motion of Senator Shangle, the Senate recessed until 2:00 p. m.

AFTERNOON SESSION

Having recessed until 2:00 p. m., the Senate reconvened President N. G. Kraschel presiding.

Senator Berg asked unanimous consent to return to the introduction of bills, which was granted.

INTRODUCTION OF BILLS

Senate File 45, by Senator Berg, a bill for an act to amend section fifty-seven hundred ninety-eight (5798), Code, 1931, relating to general powers of park commissioners.

The bill was read first and second times and referred to the committee on cities and towns.

Senate File 46, by Senator Berg, a bill for an act to repeal section fifty-eight hundred thirteen (5813), Code, 1931, and to enact a substitute therefor providing that cities and towns may locate and erect city or town halls in public parks, or public grounds and that they may by ordinance permit the location and erection of soldiers monuments or memorial halls in said public parks and public grounds.

The bill was read first and second times and referred to the committee on cities and towns.

THIRD READING OF BILLS

Senator Hush moved that the Senate proceed to the special order of business, House File 56, a bill for an act to amend chapter one hundred seventy-nine (179), sections one (1), four (4) and five (5), acts of the Forty-fifth General Assembly, relating to the extension of the redemption period from the sale under foreclosure of real estate, where deeds of conveyance have not already passed, and to add thereto provisions providing for the making of applications for further extensions under said act as amended herewith, and providing for a further extension of the period of redemption, and also providing for the kind and manner of notices to be given.

The motion prevailed and the bill was read for information.

Senator Wilson offered the following amendment and moved its adoption:

Amend House File 56 by striking lines 4 and 5 from section 2.

Senator Wilson obtained unanimous consent to temporarily defer action on this amendment.

Senator Donohue moved that the Senate recess until the fall of the gavel, which motion prevailed.

The Senate came to order at the fall of the gavel, President pro tempore Harold L. Irwin presiding.

Senator Valentine offered the following amendment to House File 56 and moved its adoption:

Amend paragraph 2 of the preamble thereof by inserting after the comma in line 6 the word "and."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend paragraph 3 of the preamble thereof by striking the words "held said act not to be" in line 4 and inserting in lieu thereof the words "it was held that said act was not".

The motion prevailed and the amendment was adopted:

Senator Valentine offered the following amendment and moved its adoption:

Amend paragraph 3 of the preamble thereof by striking in lines 8 and 9 the words "stating in its reasoning" and inserting in lieu thereof the words "and it was stated".

The motion prevailed and the amendment was adopted:

Senator Valentine offered the following amendment and moved its adoption:

Amend paragraph 5 of the preamble thereof by striking from lines 2 and 3 the words "issued in the year 1933,".

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend paragraph 6 of the preamble thereof by striking from line 4 the words "that the need".

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend paragraph 6 of the preamble thereof by striking in lines 5 and 6 the words "in the month of March 1933" and inserting in lieu thereof the words "at the time of the enactment of chapter one hundred seventy-nine (179), acts of the Forty-fifth General Assembly."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend by striking all of section 8 thereof and inserting in lieu thereof the following: "Sec. 8. The provisions of this act shall apply to any mortgages or deeds of trust executed prior to March 1, 1934, and subsequently renewed."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend by adding as section 10 immediately following section 9 the following: "Sec. 10. If any section, subsection, clause, sentence, or phrase of this act is for any reason held to be unconstitutional and/or invalid, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act and each section, subsection, clause, sentence, or phrase hereof, irrespective of whether any one or more of the sections, subsections, clauses, sentences, or phrases be declared unconstitutional."

Further amend by renumbering the remaining section.

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend by striking the word "a" in line 2 of section 6 and substituting in lieu thereof the word "the".

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend by striking the word "upon" in line 4 of section 6 and substituting in lieu thereof the word "to".

The motion prevailed and the amendment was adopted.

Senator Moore offered the following amendment:

Amend by striking the word "March" in line 3, section 7, and substituting in lieu thereof the word "January", also by striking the word "March" in line 5, section 7, and substituting in lieu thereof the word "January."

Senator Moore asked unanimous consent to withdraw the amendment. The request was granted.

Senator Byers offered the following amendment and moved its adoption:

Amend by striking the words "which were" in line 2 of section 7 thereof.

The motion prevailed and the amendment was adopted.

Senator Shangle offered the following amendment and moved its adoption:

Amend section 2, line 6, by inserting the word "thereof" following the word "lieu."

The motion prevailed and the amendment was adopted.

Senator Shangle offered the following amendment and moved its adoption:

Amend section 3, line 3, by inserting the word "thereof" following the word "lieu."

The motion prevailed and the amendment was adopted.

Senator Shangle offered the following amendment and moved its adoption:

Amend section 4, line 3, by inserting the word "thereof" following the word "lieu."

The motion prevailed and the amendment was adopted.

Senator Stanley offered the following amendment and moved its adoption:

Amend by striking lines 4 and 5 of section 2, and inserting in lieu thereof the following: "1. By inserting after the word 'commenced' in line 2 thereof the following: ', prior to March 1, 1935,'".

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend by adding as section 11 the following:

"Sec. 11. Every original notice covering the foreclosure of a real estate mortgage, or deed of trust, or the note or notes secured thereby, served after the taking effect of this act, shall, during the time this act is in effect, contain a notice to the defendant or defendants that he or they may appear at the time and place stipulated in said notice and file application for continuance of said cause of action until March 1, 1937."

Further amend by renumbering publication clause as Sec. 12.

The motion prevailed and the amendment was adopted.

Senator Donohue offered the following amendment to the title of House File 56 and moved its adoption:

Amend by striking the words "Sections one" and the figure "1" in the lines 1 and 2 of said title; and by striking the words "four" and "five" and the figures "4" and "5" from line 2 of said title.

The motion prevailed and the amendment was adopted.

Senator Malone moved that the reading just had be considered the third reading of the bill and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was?

Ayes, 49.

Anderson	Dewey	Irwin	Patterson
Aschenbrenner	Donohue	Kimberly	Pendray
Baldwin	Doze	Knudson	Reese
Beardsley	Driscoll	Malone	Roelofs
Bell of Crawford	Elthon	Mason	Schmidt
Bell of Des Moines	Fisch	McArthur	Shangle
Berg	Geske	Meyer	Shaw
Billingsley	Goetsch	Miller	Stanley
Byers	Grunewald	Millhone	Stevens of Wapello
Calhoun	Harrington	Moore	Valentine
Chrystal	Hopkins	Mullaney	Wilson
Corwin	Hush	Nelson	
	Husted	Parker	

Nays, none.

Absent or not voting, 1.

Stevens of
Decatur

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

Senator Malone moved that the vote by which House File 56 passed the Senate be reconsidered and the motion to reconsider be laid on the table. The motion prevailed.

Senator Stanley was granted unanimous consent that House File 56 be reprinted as amended and passed by the Senate; also that the rules be suspended and House File 56 be messaged to the House immediately.

President N. G. Kraschel returned to the chair at 4:10 p. m.

Senator Harrington was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 47, by Senator Harrington, a bill for an act to promote the objects of the National Housing Act by authorizing banks, savings banks, trust companies, insurance companies, and building and loan associations, to make loans pursuant to titles 1 and 2 of the National Housing Act, and by authorizing banks, savings banks, trust companies, insurance companies, building and loan associations, trustees, guardians, executors, administrators, and other fiduciaries, the state of Iowa and its political subdivisions, and institutions and agencies thereof, and all other persons, associations and corporations, subject to the laws of this state, to invest in mortgages insured, and in debentures issued, by the Federal Housing Administrator, and to invest in securities of national mortgage associations.

The bill was read first and second times and referred to the committee on federal coordination.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 1, 1935.

The Senate met in regular session, President pro tempore Harold L. Irwin presiding.

Prayer was offered by Rev. J. H. Perry of The Baptist Church in Des Moines.

PETITIONS AND MEMORIALS

The following petitions were received and filed, to be referred to the designated committees:

Senator Elthon, from residents of Forest City, in regard to local option on liquor stores or places where beer is sold. Committee on judiciary No. 2.

Senator Miller, from business men of Jones county, in regard to placing a special tax on "chain stores" doing business in the state. Committee on cities and towns.

Senator Parker, from the Delaware County Bankers Association in regard to interest on public moneys on deposit. Committee on banks and banking.

Senator Schmidt, from Johnson County Tax Payers' League in regard to deficiency judgments. Committee on judiciary No. 1.

Senator Schmidt, from Johnson County Tax Payers' League in regard to Beatty-Bennett bill. Committee on cities and towns.

INTRODUCTION OF BILLS

Senate File 48, by Senator Shaw, a bill for an act to amend section thirteen thousand seven hundred seventy-three (13773), Code, 1931, to provide for the appointment of counsel for any minor accused of any indictable offense, unrepresented by counsel whether or not he shall request counsel.

The bill was read first and second times and referred to the committee on judiciary No. 1.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Joint Resolution 1, providing for opening each day with prayer, of the two Houses of the Forty-sixth General Assembly and the compensation therefor.

Also:

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

House File 16, a bill for an act to amend section thirteen thousand two hundred ten (13210), Code, 1931, relating to the possession of gambling devices.

Also:

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

Senate File 34, a bill for an act relating to the foreclosure of real estate mortgages and deeds of trust; providing for the continuance of such actions.

VIRGIL LEKIN, *Chief Clerk.*

REPORTS OF COMMITTEES

Senator George A. Wilson submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File 22, a bill for an act to authorize cities acting under special charter to levy a tax for an emergency fund providing the uses which may be made of said funds and the conditions under which funds may be transferred therefrom, begs leave to report it has had the same under consideration and recommends the same do pass.

GEORGE A. WILSON, *Chairman.*

Ordered passed' on file.

Senator George A. Wilson submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File 23, a bill for an act to amend section seventy-four (74) of chapter one hundred twenty-one (121), acts Forty-fifth General Assembly, relating to the millage which may be levied in special charter cities for the city improvement fund, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out the words "one and one-fourth" as they appear

in line 5 of section one (1), and inserting in lieu thereof the words "one and one-half".

Further amend by striking out the "whereases" as the same appear between the title and the enacting clause.

GEORGE A. WILSON, *Chairman.*

Ordered passed on file.

SENATE FILE 33 WITHDRAWN

Senator Shaw asked and received unanimous consent to withdraw Senate File 33 from further consideration by the Senate. The bill was withdrawn.

PROPOSED BILL ORDERED PRINTED

Senator Wilson received unanimous consent to have 600 copies of the proposed bill by the committee on cities and town printed at once.

JOURNALS ORDERED DISTRIBUTED

Senator Calhoun asked unanimous consent that the bill clerk be instructed to leave four copies of both the Senate and House journals on the desk of each Senator hereafter. The request was granted and the bill clerk so instructed.

THIRD READING OF BILLS

On motion of Senator Hopkins Senate File 32, a bill for an act to make an emergency appropriation for the purpose of paying the necessary expenses of worthy and deserving blind students who are residents of the state and who are attending institutions for higher learning, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading and the bill be placed upon its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 43:

Aschenbrenner	Berg	Corwin	Driscoll
Baldwin	Billingsley	Dewey	Elthon
Bell of	Calhoun	Doze	Fisch
Des Moines	Chrystal	Donohue	Geske

Goetsch	Knudson	Mullaney	Shaw
Grunewald	Malone	Nelson	Stanley
Harrington	Mason	Parker	Stevens of
Hopkins	McArthur	Patterson	Decatur
Hush	Meyer	Pendray	Stevens of
Husted	Miller	Reese	Wapello
Irwin	Millhone	Roelofs	Wilson
Kimberly	Moore		

Nays, 1:

Shangle

Absent or not voting, 6:

Anderson	Bell of Crawford	Schmidt	Valentine
Beardsley	Byers		

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

Senator Hopkins moved that the vote by which Senate File 32 passed the Senate be reconsidered and the motion to reconsider be laid on the table. The motion prevailed.

On motion of Senator Reese, Senate Joint Resolution 3, a joint resolution creating a joint investigating committee to investigate alleged political activity on the part of the executives in the Iowa Soldiers' Home located at Marshalltown, Iowa, and such other conditions existing which an investigation might correct, said committee to report its findings to the General Assembly, and to appropriate funds therefor, with report of committee recommending amendments and consideration, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend section 3, by inserting after the word "herein", in line 5, the following: "and for the payment of witness fees for witnesses appearing before the said committee, and for the fees of officers serving subpoenas to be issued by said committee."

Amend section 3, by striking the words "such sums" in line 2, and "or sums" in line 3, and insert "the sum of three hundred dollars, or as much thereof."

The resolution was read for information.

Senator Reese moved that the reading just had be considered the third reading and the joint resolution placed upon its passage, which motion prevailed.

The question was, Shall the joint resolution as amended pass?

On the question, Shall the joint resolution as amended pass?
the vote was:

Ayes, 45:

Aschenbrenner	Elthon	Malone	Reese
Baldwin	Fisch	Mason	Roelofs
Beardsley	Geske	McArthur	Schmidt
Bell of	Goetsch	Meyer	Shangle
Des Moines	Grunewald	Miller	Shaw
Berg	Harrington	Millhone	Stanley
Billingsley	Hopkins	Moore	Stevens of
Chrystal	Hush	Mullaney	Decatur
Corwin	Husted	Nelson	Stevens of
Dewey	Irwin	Parker	Wapello
Doze	Kimberly	Patterson	Valentine
Driscoll	Knudson	Pendray	Wilson

Nays, 1:

Calhoun

Absent or not voting, 4:

Anderson Bell of Crawford Byers Donohue

The joint resolution as amended having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Reese moved that the vote by which Senate Joint Resolution 3 passed the Senate be reconsidered and the motion to reconsider be laid on the table. The motion prevailed.

Senator Reese asked unanimous consent to suspend the rules and have Senate Joint Resolution 3 messaged to the House immediately. The request was granted.

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

AFTERNOON SESSION

Having recessed until 1:30 p. m., the Senate reconvened, President pro tempore Harold L. Irwin presiding.

Senator Byers was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 49, by Senators Byers and Irwin, a bill for an act to amend section twenty-four hundred fifty-five (2455), Code,

1931, relating to certain limitations placed on members of examining boards of certain professions, to remove said limitations as same apply to nurse examiners.

The bill was read first and second times and referred to the committee on public health.

Senate File 50, by Senators Byers and Irwin, a bill for an act to amend the law as it appears in section twenty-four hundred fifty-one (2451), Code, 1931, relating to examining boards for professions and to provide for the examining board of nurses to consist of five (5) members; to amend the law as it appears in section twenty-four hundred fifty-six (2456), Code, 1931, relating to the term of examiners and to provide for nurse examiners to be appointed for a term of five (5) years; to amend the law as it appears in section twenty-four hundred fifty-seven (2457), Code, 1931, relating to the nomination of examiners by state associations, societies or boards, and to provide that appointments to the boards of examiners shall be made from such nominations; to amend the law as it appears in chapter one hundred fifteen (115), Code, 1931, by prescribing certain powers and duties of nurse examiners, including the appointment of a full-time secretary for said examiners, and prescribing the duties and powers of such secretary; by providing for a portion of the fees collected under this act to be credited to a special fund to be used in administering the provisions of this act.

The bill was read first and second times and referred to the committee on public health.

COPIES OF SENATE FILE 42 ORDERED

By unanimous consent, on request of Senator Harrington, 1200 copies of Senate File 42 were ordered printed.

Senator Wilson obtained unanimous consent to return to committee reports.

REPORT OF COMMITTEE

Senator George A. Wilson submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File 41, a bill for an act to legalize the transfer of money from the light fund of the city of Muscatine, Iowa, to the special fire maintenance fund and to authorize the issuance of bonds to fund the

same, begs leave to report it has had the same under consideration and recommends the same do pass. GEORGE A. WILSON, *Chairman*.

Ordered passed on file.

The *Journal of January 31, 1935*, was corrected and approved.

Senator Valentine was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 51, by Senators Valentine, Irwin, Stevens of Wapello, Geske, a bill for an act relating to the state sinking fund for public deposits, the issuance of anticipatory warrants thereon, and the refunding of outstanding and future issues thereof; to repeal sections seven thousand four hundred twenty-b three (7420-b3) of the Code of Iowa, 1931, as amended by the laws of the Forty-fifth General Assembly, chapters 138 and 139, and enact a substitute therefor; and to amend sections seven thousand four hundred twenty-b five (7420-b5), seven thousand four hundred twenty-b six (7420-b6), and seven thousand four hundred twenty-b nine (7420-b9), all of the Code of Iowa, 1931, relating to anticipatory warrants.

The bill was read first and second times and referred to the committee on banks and banking.

HOUSE MESSAGES CONSIDERED

House File 16, by Bowers, a bill for an act to amend section thirteen thousand two hundred ten (13210), Code, 1931, relating to the possession of gambling devices.

The bill was read first and second times and referred to the committee on cities and towns.

House Joint Resolution 1, by Lookingbill, Weed, Elliott, Craven, Gallagher, a joint resolution providing for the opening each day with prayer, of the two Houses of the Forty-sixth General Assembly and the compensation therefor.

The bill was read first and second times and referred to the committee on rules.

THIRD READING OF BILLS

On motion of Senate Corwin, Senate File 22, a bill for an act to authorize cities acting under special charter to levy a tax for an emergency fund, providing the uses which may be made of said

funds and the conditions under which funds may be transferred therefrom, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Corwin moved that the reading just had be considered the third reading and the bill be placed upon its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 45:

Anderson	Corwin	Husted	Patterson
Aschenbrenner	Dewey	Irwin	Pendray
Baldwin	Donohue	Kimberly	Reese
Beardsley	Doze	Knudson	Roelofs
Bell of Crawford	Elthon	Mason	Schmidt
Bell of	Fisch	McArthur	Shangle
Des Moines	Geske	Meyer	Shaw
Berg	Goetsch	Miller	Stevens of
Billingsley	Grunewald	Millhone	Decatur
Byers	Harrington	Moore	Stevens of
Calhoun	Hopkins	Mullaney	Wapello
Chrystal	Hush	Parker	Wilson

Nays, none.

Absent or not voting, 5:

Driscoll	Nelson	Stanley	Valentine
Malone			

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

ACTION ON SENATE FILE 23 DEFERRED

Senator Corwin was granted unanimous consent to defer action on Senate File 23.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 19, a bill for an act to amend section eleven thousand seven hundred sixty (11760), Code, 1931, providing for the addition of radio receiving set to general exemptions.

Also:

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

House File 20, a bill for an act to legalize certain tax deeds issued without compliance with the requirements of section seventy-two hundred eighty-three (7283) of the Code, 1931, and corresponding sections of earlier codes, relating to collections of costs of serving notice.

VIRGIL LEKIN, *Chief Clerk.*

By unanimous consent, on request of Senator Schmidt, the Senate returned to the order of resolutions.

SENATE CONCURRENT RESOLUTION 8

Be It Resolved by the Senate, the House concurring: That Frank N. Belgrano, Jr., National Commander of the American Legion, who comes to Des Moines as a guest of the American Legion of this state to attend the Adjutant-Commanders' conference on February 25th, be invited to address the members of the Forty-sixth General Assembly, in joint convention in the House chamber at 11:30 o'clock a. m., February 25th.

That the president of the Senate and the speaker of the House appoint a committee of five service men from the House and five service men from the Senate to receive Frank M. Belgrano, Jr., National Commander of the American Legion, and to welcome him to the joint session of the general assembly of Iowa.

That a special invitation be extended to William C. Rathke, State Commander of the American Legion, and that other state and district officers of the American Legion be invited to attend the address. .

HAROLD L. IRWIN.

SENATE CONCURRENT RESOLUTION 9

Be It Resolved by the Senate, the House of Representatives concurring: That a committee of four (4) members of the General Assembly be appointed, two (2) by the president of the Senate and two (2) by the speaker of the House of Representatives, which committee, when appointed, shall constitute a joint committee and be charged with the duty to make, with all reasonable dispatch, a thorough examination of the two elevators now in operation in the capitol building and forthwith thereafter to report to both Houses the condition of said elevators as to safety.

PAUL W. SCHMIDT.

Senator Schmidt asked unanimous consent that the rules be suspended and the resolution considered at this time. The request was granted.

Senator Schmidt moved that the resolution be adopted, which motion prevailed and the concurrent resolution was adopted.

By unanimous consent Senator Schmidt was granted consent to have Senate Concurrent Resolution 9 messaged to the House immediately.

AMENDMENTS FILED

Amend Senate File 35 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section ninety-five hundred forty-five (9545), is hereby amended by inserting after the comma following the word 'September' in line 6, the following, to wit:

'the twelfth day of October'".

Amend the title of Senate File 35, by striking all after line 1 and inserting in lieu thereof the following, to wit:

"as a holiday and to this end to amend section ninety-five hundred forty-five (9545) Code, 1931."

L. H. MEYER.

Senator Harrington moved that the Senate adjourn until 10:00 a. m. Monday.

By unanimous consent, Senator Harrington withdrew his motion to adjourn.

Senator Harrington moved that the Senate now adjourn until 1:30 p. m. Monday, February 4, 1935.

The motion prevailed and the Senate adjourned until Monday, February 4, 1935, at 1:30 p. m.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 4, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Reverend Theodore Bauer, pastor of the Easton Place Methodist church in Des Moines, Iowa.

PETITIONS AND MEMORIALS

The following petitions were received and filed, to be referred to the designated committees:

Senator Doze from residents of Chariton, Iowa, in regard to placing a special tax on "chain stores" doing business in the state. Committee on cities and towns.

Senator Knudson from residents of Webster City, Iowa, in regard to local option on liquor stores or places where beer is sold. Committee on judiciary No. 2.

INTRODUCTION OF BILLS

Senate File 52, by Senator Stanley, a bill for an act to amend section thirteen thousand eight (13008), Code, 1931, relating to larceny at nighttime.

The bill was read first and second times and referred to the committee on motor vehicles.

Senate File 53, by Senators Shaw, Bell of Crawford, Dewey, Driscoll, Berg, Mason, (Teter, McKinnon, Zeigler, Hartman, Johnson of Pocahontas, Cundy), a bill for an act to encourage the acquiring and ownership of homesteads; to amend chapter eighty-two (82), acts of the Forty-fifth General Assembly, Extraordinary Session, relating to taxation, income and retail sales; to strike paragraphs three (3) and four (4), of section sixty-one (61) of said chapter, and to substitute in lieu thereof a new paragraph, as paragraph three (3) of said section, relating to the allocation of

funds arising under the provisions of said chapter to the reduction of taxes on homesteads; to strike paragraph three (3), of section sixty-two (62) of said chapter and to substitute in lieu thereof a new paragraph, as paragraph three (3) of said section, and prescribing the procedure of county treasurers in the certification and distribution to the several taxing districts of the counties of moneys received from the comptroller on order of the board; to define homesteads and providing for designation thereof, and prescribing the duties of officers, and providing a method of entering credits against the tax on the first twenty-five hundred (2500) dollars of the assessed value of homesteads, and providing a method for determining beneficiaries of such credits; to provide for the disposition of the excess, if any, transmitted to county treasurers, over and above the total tax levied on homesteads within such twenty-five hundred (2500) dollar limit; to provide a method of review of all questions relating to tax credits on homesteads, and providing a penalty for making false affidavit for the purpose of securing such credit.

The bill was read first and second times and referred to the committee on ways and means.

HOUSE MESSAGES CONSIDERED

House File 19, a bill for an act to amend section eleven thousand seven hundred sixty (11760), Code, 1931, providing for the addition of radio receiving set to general exemptions.

The bill was read first and second times and referred to the committee on judiciary No. 1.

House File 20, a bill for an act to legalize certain tax deeds issued without compliance with the requirements of section seventy-two hundred eighty-three (7283) of the Code, 1931, and corresponding sections of earlier codes, relating to collections of costs of serving notice.

The bill was read first and second times and referred to the committee on judiciary No. 1.

Senator Reese was granted unanimous consent to withdraw his request that Senate Joint Resolution 3 be messaged to the House.

UNANIMOUS CONSENT TO RECONSIDER

Senator Reese was granted unanimous consent to reconsider the vote by which the motion "to reconsider the vote by which Senate Joint Resolution 3 passed the Senate and that the motion to reconsider be laid on the table."

Senator Reese moved that the vote by which Senate Joint Resolution 3 passed the Senate be reconsidered.

The question was, Shall the motion prevail?

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

Ayes, 45:

Anderson	Doze	Knudson	Pendray
Baldwin	Driscoll	Malone	Reese
Bell of Crawford	Elthon	Mason	Schmidt
Bell of	Fisch	McArthur	Shangle
Des Moines	Geske	Meyer	Shaw
Berg	Goetsch	Miller	Stanley
Billingsley	Grunewald	Millhone	Stevens of
Byers	Hopkins	Moore	Decatur
Calhoun	Hush	Mullaney	Stevens of
Corwin	Husted	Nelson	Wapello
Dewey	Irwin	Parker	Valentine
Donohue	Kimberly	Patterson	Wilson

Nays, none.

Absent or not voting, 5:

Aschenbrenner	Chrystal	Harrington	Roelofs
Beardsley			

The motion having received a two-thirds majority was declared to have prevailed.

Senator Reese was granted unanimous consent to reconsider the vote by which the Senate Joint Resolution 3 went to its third reading.

SENATE JOINT RESOLUTION 3 RECONSIDERED

On motion of Senator Reese, Senate Joint Resolution 3, a joint resolution creating a joint investigating committee to investigate alleged political activity on the part of the executives in the Iowa Soldiers' Home located at Marshalltown, Iowa, and such other conditions existing which an investigation might correct, said committee to report its findings to the General Assembly, and to appropriate funds therefor, was again taken up, and considered.

Senator Reese offered the following amendments and moved their adoption:

Amend Senate Joint Resolution 3 by inserting after section 2 the following:

"Sec. 3. That said investigating committee be and is hereby authorized to issue subpoenas for the production of witnesses before it, and to compel the attendance of witnesses and the disclosure of any information said witnesses may possess, and to require the production of books and records, and to fully inquire into any matters relating to said Iowa Soldiers' Home."

Amend by renumbering the following sections.

The amendments were adopted.

The joint resolution was read for information.

Senator Reese moved that the reading just had be considered the third reading and the joint resolution as amended be placed on its passage, which motion prevailed.

The question was, Shall the joint resolution as amended pass?

On the question, Shall the joint resolution as amended pass? the vote was:

Ayes, 45:

Anderson	Donohue	Knudson	Pendray
Aschenbrenner	Doze	Malone	Reese
Baldwin	Driscoll	Mason	Schmidt
Beardsley	Elthon	McArthur	Shangle
Bell of Crawford	Fisch	Meyer	Shaw
Bell of	Geske	Miller	Stanley
Des Moines	Goetsch	Millhone	Stevens of
Berg	Grunewald	Moore	Decatur
Billingsley	Hush	Mullaney	Stevens of
Byers	Husted	Nelson	Wapello
Corwin	Irwin	Parker	Valentine
Dewey	Kimberly	Patterson	Wilson

Nays, 2:

Calhoun Hopkins

Absent or not voting, 3:

Chrystal Harrington Roelofs

The joint resolution as amended having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Reese moved that the vote by which Senate Joint Resolution 3 as amended passed the Senate be reconsidered and the motion to reconsider laid on the table. The motion prevailed.

Senator Reese was granted unanimous consent that the rules be suspended and Senate Joint Resolution 3 as amended be immediately messaged to the House.

THIRD READING OF BILLS

On motion of Senator Corwin, Senate File 23, a bill for an act to amend section seventy-four (74) of chapter one hundred twenty-one (121), acts Forty-fifth General Assembly, relating to the millage which may be levied in special charter cities for the city improvement fund, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by striking out the words "one and one-fourth" as they appear in line 5 of section one (1), and inserting in lieu thereof the words "one and one-half".

Further amend by striking out the "whereases" as the same appear between the title and the enacting clause.

The bill was read for information.

Senator Corwin moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 47:

Anderson	Dewey	Kimberly	Patterson
Aschenbrenner	Donohue	Knudson	Pendray
Baldwin	Doze	Malone	Reese
Beardsley	Driscoll	Mason	Schmidt
Bell of Crawford	Elthon	McArthur	Shaw
Bell of	Fisch	Meyer	Stanley
Des Moines	Geske	Miller	Stevens of
Berg	Goetsch	Millhone	Decatur
Billingsley	Grunewald	Moore	Stevens of
Calhoun	Hopkins	Mullaney	Wapello
Byers	Hush	Nelson	Valentine
Chrystal	Husted	Parker	Wilson
Corwin	Irwin		

Nays, 1:

Shangle

Absent or not voting, 2:

Harrington Roelofs

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

Senator Corwin moved that the vote by which Senate File 23, as amended, passed the Senate be reconsidered and the motion to reconsider be laid on the table. The motion prevailed.

COPIES OF SENATE FILE 20 ORDERED PRINTED

Senator Moore received unanimous consent to have 1,200 copies of Senate File 20 ordered printed.

Senator Stanley received unanimous consent to have 2,000 copies of Senate File 34 ordered printed as it passed the Senate.

Unanimous consent was granted Senator Stanley to withdraw his motion.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 84, a bill for an act relating to the extension of the redemption period from the sale under foreclosure of real estate where deeds of conveyance have not already passed; providing for the making of applications for extensions of the period of redemption and for the kind and manner of notices to be given; making the provisions of this act applicable to all cases where the courts have granted such extension; and providing for applications now on file, for payment and distribution of rents and for suspension of all acts or parts of acts in conflict with this act.

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

Senate Concurrent Resolution 7, authorizing and directing that a warrant be issued for payment of the services of George Logan, deceased, who was employed as janitor, so that it may be paid to such party or parties as are entitled thereto, to defray burial expenses of said George Logan.

VIRGIL LEKIN, *Chief Clerk.*

Senator Malone was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 54, by Senator Malone, a bill for an act to amend section sixty-nine hundred sixty-three (6963), Code, 1931, relating to the assessment of moneys and credits and to the place of said assessment.

The bill was read first and second times and referred to committee on ways and means.

Senate File 55, by Senator Malone (Zeigler), a bill for an act to amend chapter forty-nine (49) of the Code, 1931, as to require

a contestant for a seat in the General Assembly to file a cost bond as a condition precedent to maintaining the contest.

The bill was read first and second times and referred to committee on elections and contests.

HOUSE MESSAGE CONSIDERED

House File 84, a bill for an emergency act relating to the extension of the redemption period from the sale under foreclosure of real estate where deeds of conveyance have not already passed; providing for the making of applications for extensions of the period of redemption and for the kind and manner of notices to be given; making the provisions of this act applicable to all cases where the courts have granted such extension; and providing for applications now on file, for payment and distribution of rents, and for suspension of all acts or parts of acts in conflict with this act.

The bill was read first and second times and referred to committee on emergency legislation.

Senator Stanley was granted unanimous consent to withdraw the unanimous consent which had previously been granted to immediately message House File 56 to the House.

MOTION TO TAKE FROM TABLE

Senator Stanley moved to take from the table the motion "to reconsider the vote by which House File 56 had passed the Senate".

The question was, Shall the motion prevail?

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

Ayes, 46:

Anderson	Dewey	Kimberly	Patterson
Aschenbrenner	Donohue	Knudson	Pendray
Baldwin	Doze	Malone	Reese
Beardsley	Driscoll	Mason	Schmidt
Bell of Crawford	Elthon	McArthur	Shangle
Bell of	Fisch	Meyer	Shaw
Des Moines	Geske	Miller	Stanley
Berg	Goetsch	Millhone	Stevens of
Billingsley	Grunewald	Moore	Decatur
Byers	Hopkins	Mullaney	Stevens of
Calhoun	Husted	Nelson	Wapello
Chrystal	Irwin	Parker	Wilson
Corwin			

Nays, none.

Absent or not voting, 4:

Harrington

Hush

Roelofs

Valentine

The motion having received a two-thirds majority was declared to have carried.

Senator Stanley moved that the Senate recess until the fall of the gavel, which motion prevailed.

The Senate came to order at the fall of the gavel.

REPORTS OF COMMITTEES

Senator Byers submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred Senate File 10, a bill for an act to repeal sections twelve hundred one (1201), etc., Code, 1931, relating to the appointment, powers and duties of notaries public, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Senator C. E. Malone submitted the following report:

MR. PRESIDENT: Your committee on emergency legislation to which was referred House File 84, a bill for an act relating to the extension of the redemption period from the sale, under foreclosure, of real estate where deeds of conveyance have not already passed, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by inserting as section one (1) the following:

"Section 1. The Forty-sixth General Assembly hereby declares and determines that the emergency which existed when chapter one hundred seventy-nine (179), of the acts of the Forty-fifth General Assembly was enacted does continue to exist, and that such emergency at this time is general throughout the state of Iowa, and that the safety and future welfare of the state as a whole is endangered thereby. The General Assembly acting under the power reserved by the people of Iowa does hereby enact the following:"

Further amend by renumbering the remaining sections.

C. E. MALONE, *Chairman.*

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 34.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The motion prevailed and the report was adopted.

The Journal of February 1, 1935, was approved.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File 34.

BILL SENT TO THE GOVERNOR

Senator Calhoun, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully report they have on this 4th day of February, 1935, sent to the governor for his approval, Senate File 34.

JOHN N. CALHOUN, *Chairman.*

Passed on file.

AMENDMENTS FILED

Amend Senate File 37 by striking the period immediately following the word "construction" in line 4 and insert therein the word "and".

T. F. DRISCOLL.

On motion of Senator Shangle, the Senate adjourned until Tuesday at 10:00 a. m.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 5, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. W. Frank Lister, pastor of the Trinity Methodist church in Des Moines, Iowa.

PETITIONS AND MEMORIALS

The following petitions were received and filed, to be referred to the designated committees:

Senator Stanley, from residents of Adams county, opposing the basic science bill. Committee on public health.

INTRODUCTION OF BILLS

Senate Joint Resolution 4, by Senator Irwin, a joint resolution requesting the Congress of the United States to enact a nationwide system old-age assistance based on an equitable distribution of the cost between the Federal and State governments.

The bill was read first and second times and referred to the committee on banks and banking.

Senate File 56, by Senator Shangle, a bill for an act prohibiting contracts for the payment of money to be payable in any particular form or kind of money.

The bill was read first and second times and referred to the committee on judiciary No. 1.

Senate File 57, by committee on emergency legislation, a bill for an act to declare that an emergency now exists; to provide for the increase of the statutory exemption from execution for residents who are heads of families; to provide for the selection of such exempt property; to provide for exemptions heretofore set off; to provide for preservation of right to parties under chapter one hundred seventy-seven (177), acts of the Forty-fifth Gen-

eral Assembly; to provide for suspension of conflicting acts; and to provide that if any part of this act is held unconstitutional it shall not affect the remaining parts.

The bill was read first and second times and placed on the calendar.

Senator Stanley called up for consideration Senate Concurrent Resolution 5.

SENATE CONCURRENT RESOLUTION 5

Whereas, The present interest rate on farm mortgages including those of the Federal Land Banks is excessive and out of rate in other lines to such an extent as to deprive the farmer of necessary credit and greatly reduce his purchasing power, and

Whereas, The National Government is making large expenditure in an effort to hasten and insure the return of prosperity and is able through its borrowing powers to furnish money for this, and other agencies of the government, and to make loans to railroads, banks and other industries at substantially lower rates than those now afforded to farmers by the Federal Land Banks, and

Whereas, Recovery of purchasing power and the return of prosperity to the agricultural districts is a prerequisite to the return of national prosperity, now, therefore,

Be It Resolved by the Senate of the State of Iowa, the House of Representatives concurring therein: That we call upon the Congress of the United States to take such action relative to the financing and refinancing of farm mortgages at such a rate of interest as will place them on a parity with other industries and will remedy the said conditions now existing, and such as will permit the great agricultural population to again become substantial purchasers of the products of industry to the end that the return of prosperity may be hastened.

CLAUDE STANLEY.

A. J. SHAW.

WM. S. BEARDSLEY.

G. W. PATTERSON.

JOHN N. CALHOUN.

LEO ELTHON.

The resolution was read for information.

Senator Shaw offered the following amendment to Senate Concurrent Resolution 5 and moved its adoption:

Amend by striking in line 3 of the original resolution "rate in other lines" and insert in lieu thereof "line with other rates."

The amendment was adopted.

Senator Stanley offered the following amendment to Senate Concurrent Resolution 5 and moved its adoption:

Amend by inserting after the final paragraph of the resolution the following:

"That the secretary of the Senate and the clerk of the House be directed to mail copies of this resolution to the Iowa representatives in the national Congress."

By unanimous consent the amendment was adopted.

Senator Beardsley offered the following amendment and moved its adoption:

Amend Senate Concurrent Resolution 5 by inserting after the word "to" in line 3 of paragraph 4 thereof, the following words: "authorize money to be loaned on Federal Land Bank loans at the same three (3) per cent rate at which Federal Land Bank bonds are issued and", and by striking the words "as will" in line 7 of paragraph 4 thereof and inserting in lieu thereof the words "so as to", and by striking the words "as will" in line 9 of paragraph 4 thereof and inserting in lieu thereof the words "so as to", and by striking the word "will" in line 8 of paragraph 4 thereof and inserting in lieu thereof the word "to", and by striking the words "and such" in line 9 of paragraph 4 thereof.

The amendment was adopted.

Senator Elthon moved that the previous question be put, which motion prevailed.

Senator Beardsley moved that Senate Concurrent Resolution 5 as amended be adopted.

Roll call was requested.

The question was, Shall the concurrent resolution, as amended, be adopted?

On the question, Shall the concurrent resolution as amended be adopted? the vote was:

Ayes, 50:

Anderson	Donohue	Kimberly	Pendray
Aschenbrenner	Doze	Knudson	Reese
Baldwin	Driscoll	Malone	Roelofs
Beardsley	Elthon	Mason	Schmidt
Bell of Crawford	Fisch	McArthur	Shangle
Bell of	Geske	Meyer	Shaw
Des Moines	Goetsch	Miller	Stanley
Berg	Grunewald	Millhone	Stevens of
Billingsley	Harrington	Moore	Decatur
Byers	Hopkins	Mullaney	Stevens of
Calhoun	Hush	Nelson	Wapello
Chrystal	Husted	Parker	Valentine
Corwin	Irwin	Patterson	Wilson
Dewey			

Nays, none.

Absent or not voting, none.

The resolution was unanimously adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File 3, a bill for an act relating to the power of cities acting under special charter to purchase property at tax sale.

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

House File 11, a bill for an act relating to the millage which may be levied in special charter cities for the city improvement fund.

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

House File 31, a bill for an act relating to the publication of the estimates and of the hearing thereon.

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

House File 54, a bill for an act to make an emergency appropriation for salaries, support and maintenance of the Iowa State Teachers College, Cedar Falls, Iowa.

VIRGIL LEKIN, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 54, a bill for an act to make an emergency appropriation for salaries, support and maintenance of the Iowa State Teachers College, Cedar Falls, Iowa.

The bill was read first and second times and referred to the committee on appropriations.

House File 31, a bill for an act to amend section three hundred seventy-five (375), Code, 1931, and to repeal section two (2) of chapter twelve (12), acts of the Forty-fifth General Assembly, all relating to the publication of the estimates and of the hearing thereon required by chapter twenty-four (24) of said Code.

The bill was read first and second times and referred to the committee on printing.

House File 11, a bill for an act to amend section seventy-four (74) of chapter one hundred twenty-one (121), acts of the Forty-fifth General Assembly, relating to the millage which may be levied in special charter cities for the city improvement fund.

The bill was read first and second times and referred to the committee on cities and towns.

THIRD READING OF BILLS

On motion of Senator Malone, House File 84, an emergency act relating to the extension of the redemption period from the sale under foreclosure of real estate where deeds of conveyance have not already passed; providing for the making of applications for extensions of the period of redemption and for the kind and manner of notices to be given; making the provisions of this act applicable to all cases where the courts have granted such extension; and providing for applications now on file, for payment and distribution of rents, and for suspension of all acts or parts of acts in conflict with this act, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by inserting as section one (1) the following:

"Section 1. The Forty-sixth General Assembly hereby declares and determines that the emergency which existed when chapter one hundred seventy-nine (179), of the acts of the Forty-fifth General Assembly was enacted does continue to exist, and that such emergency at this time is general throughout the state of Iowa, and that the safety and future welfare of the state as a whole is endangered thereby. The General Assembly acting under the power reserved by the people of Iowa does hereby enact the following:"

Further amend by renumbering the remaining sections.

Senator Calhoun offered the following amendments and moved their adoption:

Amend House File 84 by striking from section two (2), line 1 the words "a real estate" and substituting in lieu thereof the word "the".

Amend House File 84 by inserting in section two (2), line 2, after the first "a" the words "real estate".

The motion prevailed and the amendments were adopted.

Senator Stanley offered the following amendment and moved its adoption:

Amend the title of House File 84 by inserting after the semicolon following the word "passed" in line 3, the following: "declaring that the emergency still exists;"

The motion prevailed and the amendment was adopted.

The bill was read for information.

Senator Stanley moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 50:

Anderson	Donohue	Kimberly	Pendray
Aschenbrenner	Doze	Knudson	Reese
Baldwin	Driscoll	Malone	Roelofs
Beardsley	Elthon	Mason	Schmidt
Bell of Crawford	Fisch	McArthur	Shangle
Bell of	Goeske	Meyer	Shaw
Des Moines	Goetsch	Miller	Stanley
Berg	Grunewald	Millhone	Stevens of
Billingsley	Harrington	Moore	Decatur
Byers	Hopkins	Mullaney	Stevens of
Calhoun	Hush	Nelson	Wapello
Chrystal	Husted	Parker	Valentine
Corwin	Irwin	Patterson	Wilson
Dewey			

Nays, none.

Absent or not voting, none.

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

Senator Mullaney moved that the vote by which House File 84, as amended, passed the Senate be reconsidered and the motion to reconsider be laid on the table. The motion prevailed.

Senator Mullaney was granted unanimous consent that the rules be suspended and House File 84, as amended, be messaged to the House immediately.

Senator Knudson was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate Joint Resolution 5, by Senator Knudson (Groves), a joint resolution proposing so to amend article three (III) of the constitution of the state of Iowa as to vest in the people of the state of Iowa the right and power to enact laws, to propose and adopt amendments to the constitution of Iowa, and to repeal any law or part thereof, enacted by the General Assembly.

The joint resolution was read first and second times and referred to the committee on departmental affairs.

JOINT PUBLIC HEARING ANNOUNCED

Senator Moore announced that a joint public hearing on Senate File 20 and House File 78 would be held Thursday afternoon at 2:30 p. m. in room 22.

RECONSIDERATION OF VOTE ON HOUSE FILE 56

Senator Stanley asked that the motion "that the vote by which House File 56 passed the Senate be reconsidered" be now considered.

The question was, Shall the vote by which House File 56 passed the Senate be reconsidered?

On the question, Shall the vote by which House File 56 passed the Senate be reconsidered? the vote was:

Ayes, 49:

Anderson	Donohue	Kimberly	Pendray
Aschenbrenner	Doze	Knudson	Reese
Baldwin	Driscoll	Malone	Roelofs
Beardsley	Elthon	Mason	Schmidt
Bell of Crawford	Fisch	McArthur	Shangle
Bell of	Geske	Meyer	Shaw
Des Moines	Goetsch	Miller	Stanley
Berg	Grunewald	Millhone	Stevens of
Billingsley	Harrington	Moore	Decatur
Calhoun	Hopkins	Mullaney	Stevens of
Chrystal	Hush	Nelson	Wapello
Corwin	Husted	Parker	Valentine
Dewey	Irwin	Patterson	Wilson

Nays, none.

Absent or not voting, 1:

Byers

The motion having received a two-thirds majority was declared to have prevailed.

Senator Stanley moved that the vote by which House File 56 was passed to its third reading be reconsidered. The motion prevailed.

Senator Stanley was granted unanimous consent to withdraw the previous motion to pass House File 56 to its third reading.

The Journal of February 4, 1935, was approved.

PROOF OF PUBLICATION

The official proof of publication of Senate File 41, a bill for an act to legalize the transfer of money from the light fund of the city of Muscatine, Iowa, to the special fire maintenance fund and to authorize the issuance of bonds to fund the same, was duly filed with the secretary of the Senate in compliance with the provisions of section ten thousand three hundred fifty-eight (10358) of the Code, 1931.

HEDO M. ZACHERLE, *Secretary of the Senate.*

REPORTS OF COMMITTEE

Senator Geske submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred Senate Joint Resolution 1, creating a joint investigating com-

mittee to investigate the operation of the Iowa Liquor Control Act and the administration of said act by the Iowa Liquor Control Commission and to make report of its findings together with recommendations to the Forty-sixth General Assembly, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Add the following:

"Sec. 3. That the investigating committee to be appointed as aforesaid shall have the power to subpoena witnesses and administer oaths.

"Sec. 4. *Be It Further Resolved:* That the sum of five thousand (5,000) dollars is hereby appropriated for the necessary expense of the said joint investigating committee and the investigations to be made thereunder."

M. X. GESKE, *Chairman.*

Ordered passed on file.

Senator Geske submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred House Concurrent Resolution 3, relating to legislative investigation of the Iowa Liquor Control Commission, begs leave to report it has had the same under consideration and returns the concurrent resolution without recommendation.

M. X. GESKE, *Chairman.*

Ordered passed on file.

On motion of Senator Shangle, the Senate adjourned until 10:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 6, 1935.

The Senate met in regular session, President pro tempore Harold L. Irwin presiding.

Invocation was delivered by Rev. P. M. Thomas, pastor of the First Friends church in Des Moines, Iowa.

PETITIONS AND MEMORIALS

The following petitions were received and filed, to be referred to the designated committees:

Senator Hopkins, from residents of Dallas county, opposing the basic science bill. Committee on public health.

Senator Corwin, from residents of Muscatine county, opposing the basic science bill. Committee on public health.

Senator Schmidt, from residents of Iowa county, opposing the basic science bill. Committee on public health.

Senator Malone, from residents of Cass county, opposing the basic science bill. Committee on public health.

Senator Stanley, from residents of Adams county, opposing the basic science bill. Committee on public health.

Senator Meyer, from residents of Parkersburg, Iowa, opposing the basic science bill. Committee on public health.

Senator Reese, from residents of Marshall county, opposing the basic science bill. Committee on public health.

Senator Mason, from residents of Poweshiek county, opposing the basic science bill. Committee on public health.

Senator Elthon, from residents of Winnebago and Worth counties, opposing the basic science bill. Committee on public health.

Senator Schmidt, from employees of the city of Iowa City, in regard to maximum limit of tax levied upon property. Committee on county and township affairs.

Senator Shaw, from residents of Pocahontas county, opposing the tax on the "chain stores" doing business in the state. Committee on cities and towns.

Senator Goetsch, from residents of Decorah, Iowa, in regard to the classification of one-half ton trucks. Committee on motor vehicles.

Senator Bell of Crawford, from the Harrison County American Legion, favoring military training in land grant colleges in Iowa. Committee on military affairs.

INTRODUCTION OF BILLS

Senate File 58, by Senators Baldwin and Harrington, a bill for an act to amend sections four (4) and twenty-eight (28) of chapter twenty-four (24), of the acts of the Forty-fifth General Assembly, Extraordinary Session, relating to the creation of the Iowa Liquor Control Commission, prescribing its powers and duties, providing for the control by it of the liquor traffic in the state of Iowa, for the purchase and sale of liquor by said commission, for the disposition of the proceeds of said sale, for penalties, for the violation of said act and for the enforcement of said penalties; said amendment defining hotels, restaurants and clubs, providing for the issuance of licenses to hotels, restaurants and clubs, entitling them to keep and sell to guests, patrons and members by the drink only and for consumption on the premises of licensees, alcoholic liquors purchased from state liquor stores, prescribing the conditions of such sales, limiting the number of licensees within cities and towns, authorizing the commission to prescribe the form, terms, and conditions of applications for licenses and the conditions upon which they may be issued, providing for the collection by the commission of certain license fees and the payment thereof to the treasurers of cities and towns where licensees are located, providing that licensees shall give bonds payable to the state of Iowa conditioned upon the observance of the law; for the transfer of licenses from one location to another but making them nonassignable; prescribing the conditions of such transfers; providing for the expiration and renewal of said licenses and bonds; providing for the suspension of licenses by the commission and by district courts of the state and for the petition for such suspension by the attorney general and county

attorneys, for the assessment of costs of hearing thereon, for appeal to the district court from revocation by the commission, for the suspension of licenses during any period of emergency proclaimed by the Governor; granting to the electors of cities and towns the right to prohibit such sales in certain cases, requiring an election on said issue upon petition of twenty-five (25) per cent, of a number of persons voting for Governor at the last regular election, prescribing the notice of such election, prescribing the form in which such questions shall be submitted, and providing for the renumbering of sections twenty-nine (29), to eighty-nine (89), inclusive, of said chapter.

The bill was read first and second times and referred to the committee on judiciary No. 2.

Senate File 59, by committee on emergency legislation, a bill for an emergency act relating to contracts for the sale of real estate where the vendor retains legal title; providing for the continuance of said actions; providing for injunctions enjoining forfeiture proceedings; providing for the preservations of the rights and equities of the vendee or his heirs or assigns under said contracts; providing for possession of said real estate, and to the rents, income and profits therefrom and providing for the distribution thereof.

The bill was read first and second times and placed on calendar.

COPIES OF SENATE FILE 53 ORDERED

Senator Dewey was granted unanimous consent to have 1,200 copies of Senate File 53 ordered printed.

By unanimous consent, on request of Senator Beardsley, Senate Concurrent Resolution 5, as amended and adopted by the Senate, was ordered printed in the Journal.

SENATE CONCURRENT RESOLUTION 5

Whereas, The present interest rate on farm mortgages including those of the Federal Land Banks is excessive and out of line with other rates to such an extent as to deprive the farmer of necessary credit and greatly reduce his purchasing power, and

Whereas, The national government is making large expenditure in an effort to hasten and insure the return of prosperity and is able through its borrowing powers to furnish money for this, and other agencies of the government, and to make loans to railroads, banks and other industries

at substantially lower rates than those now afforded to farmers by the Federal Land Banks, and

Whereas, Recovery of purchasing power and the return of prosperity to the agricultural districts is a prerequisite to the return of national prosperity, now, therefore,

Be It Resolved by the Senate of the State of Iowa, the House of Representatives concurring therein: That we call upon the Congress of the United States to authorize money to be loaned on Federal Land Bank loans at the same three (3) per cent rate at which Federal Land Bank bonds are issued and take such action relative to the financing and re-financing of farm mortgages at such a rate of interest as to place them on a parity with other industries and to remedy the said conditions now existing, so as to permit the great agricultural population to again become substantial purchasers of the products of industry to the end that the return of prosperity may be hastened.

The secretary of the Senate and the clerk of the House of Representatives are authorized and directed to furnish copies of this concurrent resolution to the Iowa representatives in the National Congress.

CLAUDE STANLEY.

A. J. SHAW.

WM. S. BEARDSLEY.

G. W. PATTERSON.

JOHN N. CALHOUN.

COPIES OF SENATE FILE 34 ORDERED

Senator Mullaney received unanimous consent to have printed 4,800 copies of Senate File 34 as certified to by the Secretary of State, and that the Secretary of State be instructed to mail a copy of Senate File 34 to each judge and clerk of a district court as well as to each referee in bankruptcy in the state.

REPORT OF COMMITTEE

Senator Irwin submitted the following report:

MR. PRESIDENT: Your committee on rules, to which was referred House Joint Resolution 1, a joint resolution providing for the opening each day with prayer, of the two Houses of the Forty-sixth General Assembly and the compensation therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

H. L. IRWIN, *Chairman.*

Ordered passed on file.

Senator Wilson was granted unanimous consent to have Senate Joint Resolution 1, a joint resolution creating a joint investigating committee to investigate the operation of the Iowa Liquor Control Act and the administration of said act by the Iowa Liquor Control

Commission and to make report of its findings together with recommendations to the Forty-sixth General Assembly, and House Concurrent Resolution 3, authorizing the appointment of a joint investigating committee to investigate the operation of the Iowa Control Act, and the administration of said act by the Iowa Liquor Control Commission, referred to the committee on appropriations.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 3.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File 3.

BILL SENT TO THE GOVERNOR

Senator Calhoun, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully report they have on this 6th day of February, 1935, sent to the Governor for his approval, Senate File 3.

JOHN N. CALHOUN, *Chairman.*

Passed on file.

SENATE FILE 41 DEFERRED

Senator Corwin was granted unanimous consent to temporarily defer action on Senate File 41.

THIRD READING OF BILLS

On motion of Senator Stanley, Senate File 57, a bill for an act to declare that an emergency now exists; to provide for the increase of the statutory exemption from execution for residents who are heads of families; to provide for the selection of such exempt property; to provide for exemptions heretofore set off; to provide for preservation of right to parties under chapter one

hundred seventy-seven (177), acts of the Forty-fifth General Assembly; to provide for suspension of conflicting acts; and to provide that if any part of this act is held unconstitutional it shall not affect the remaining parts, was taken up and considered.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 57 by inserting after the first comma following the word "machinery" in line 5 of section two (2) thereof the following: "household goods,".

The motion prevailed and the amendment was adopted.

By unanimous consent granted to Senator Calhoun, the first "of" in line 3 of section five (5) of Senate File 57 was stricken and the word "or" inserted in lieu thereof.

Senator Donohue offered the following amendment and moved its adoption:

Amend section six (6) of Senate File 57 by inserting after the word "existence" in line 7 the following: ", except household goods not to exceed one hundred (100) dollars in value as provided in section three (3) of this act."

The motion prevailed and the amendment was adopted.

Senator Calhoun offered the following amendment and moved its adoption:

Amend Senate File 57 by inserting after the word "family" in line 2 of section two (2) the following: "who has not had an exemption under chapter one hundred seventy-seven (177), acts of the Forty-fifth General Assembly".

The motion prevailed and the amendment was adopted.

The bill was read for information.

Senator Malone moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

By unanimous consent granted Senator Elthon, the word "extensions" in line 3 of paragraph 1 of the preamble of Senate File 57 was stricken and the word "exemptions" was inserted in lieu thereof.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 44:

Anderson	Dewey	Knudson	Reese
Aschenbrenner	Donohue	Malone	Roelofs
Baldwin	Doze	Mason	Schmidt
Beardsley	Driscoll	McArthur	Shaw
Bell of Crawford	Elthon	Meyer	Stanley
Bell of Des Moines	Geske	Miller	Stevens of Decatur
Berg	Goetsch	Millhone	Stevens of Wapello
Billingsley	Grunewald	Mullaney	Valentine
Byers	Hopkins	Nelson	Wilson
Calhoun	Husted	Parker	
Corwin	Irwin	Patterson	
	Kimberly	Pendray	

Nays, none.

Absent or not voting, 6:

Chrystal	Harrington	Moore	Shangle
Fisch	Hush		

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

Senator Mullaney moved that the vote by which Senate File 57, as amended, passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Mullaney was granted unanimous consent to suspend the rules and have Senate File 57, as amended, messaged to the House immediately.

BILL INDEFINITELY POSTPONED

On motion of Senator Schmidt, Senate File 10, a bill for an act to repeal sections twelve hundred one (1201), twelve hundred four (1204), twelve hundred eight (1208) to twelve hundred eleven (1211), inclusive, and twelve hundred thirteen (1213), and to amend sections eleven hundred ninety-seven (1197), twelve hundred two (1202), twelve hundred three (1203), twelve hundred twelve (1212), twelve hundred fourteen (1214), twelve hundred fifteen (1215), ten thousand eighty-five (10085), and ten thousand one hundred three (10103), all of the Code, 1931, and all relating to the appointment, powers, and duties of notaries public, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

On motion of Senator Wilson, the Senate recessed until 2:00 p. m.

AFTERNOON SESSION

Having recessed until 2:00 p. m., the Senate reconvened, President N. G. Kraschel presiding.

MESSAGES FROM THE HOUSE

The following message was received from the House:

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

House File 84, a bill for an act relating to the extension of the redemption period from the sale under foreclosure of real estate.

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

House File 17, a bill for an act relating to the power of city or town councils to regulate dance halls.

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

House Concurrent Resolution 6, relative to the sale and issuance of warrants on the part of the state of Iowa. VIRGIL LEKIN, *Chief Clerk*.

Senator Billingsley was granted unanimous consent to return to the order of petitions and memorials.

PETITIONS AND MEMORIALS

Senator Billingsley, from residents of Jasper county, opposing the basic science bill. Committee on public health.

Senator Anderson, from residents of Fort Dodge, Iowa, opposing the basic science bill. Committee on public health.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 84.

JOHN N. CALHOUN, *Chairman Senate Committee*.

DEWEY E. GOODE, *Chairman House Committee*.

The report was adopted.

BILL SIGNED BY THE PRESIDENT

The president of the Senate announced that, as president of the Senate, he had signed in the presence of the Senate, House File 84.

Senator Mason was granted unanimous consent to return to introduction of bills.

INTRODUCTION OF BILLS

Senate File 60, by Senator Mason, a bill for an act to repeal section twenty-nine hundred thirty (2930), Code, 1931, relating to aid to the farm bureau.

The bill was read first and second times and referred to the committee on agriculture.

REPORT OF COMMITTEE

Senator Roy E. Stevens submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 54, a bill for an act to make an emergency appropriation for salaries, support and maintenance of the Iowa State Teachers College, Cedar Falls, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

The Journal of February 5, 1935, was approved.

PUBLIC HEARING ANNOUNCED

Senator Wilson announced that a public hearing on the scavenger sale bill would be held before the committee on cities and towns Tuesday at 1:30 p. m.

AMENDMENTS FILED

Amend House Joint Resolution 1 by striking all after the enacting clause and inserting in lieu thereof the following: "That upon the daily convening of each house of the General Assembly of Iowa the presiding officer thereof shall call the members and others present to their feet, and they shall stand in silent devotion for a period of two minutes, or until released by the gavel."

L. T. SHANGLE.

H. C. BALDWIN.

E. I. MASON.

LEO ELTHON.

T. W. MULLANEY.

MIKE G. FISCH.

CARL ASCHENBRENNER.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 7, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Reverend Ward E. Hall, pastor of the Indianola Heights Church of Christ in Des Moines, Iowa.

PETITIONS AND MEMORIALS

The following petitions opposing the basic science bill were received and referred to the committee on public health: Senator Nelson, from residents of Boone and Story counties; Senator Mason, from residents of Grinnell; Senator Goetsch, from residents of Decorah; Senator Berg, from residents of Black Hawk county; Senator Millhone, from residents of Fremont and Page counties; Senator Wilson, from residents of Polk county; Senator Grunewald, from residents of Gladbrook; Senator Schmidt, from residents of Iowa City; Senator Corwin, from residents of Muscatine; Senator Hopkins, from residents of Guthrie county; Senator Dewey, from residents of Henry county; Senator Meyer, from residents of Bremer county; Senator Billingsley, from residents of Jasper county; Senator Mullaney, from residents of Fayette county; Senator Reese, from residents of Marshall county; Senator Byers, from residents of Linn county; Senator Anderson, from residents of Calhoun and Webster counties.

The following petitions were received and filed, to be referred to the designated committees:

Senator Millhone, from Highway No. 73 Association, opposing the diversion of any portion of primary road funds to other purposes than those for which contributed for by the people. Committee on highways.

Senator Schmidt, from the United Commercial Travelers of America, opposing the highway safety patrol. Committee on highways.

Senator Stanley, from barbers of Corning, favoring House File 37. Committee on state planning.

Senator Shaw, from supervisors of Humboldt county, opposing House File 23. Committee on county and township affairs.

INTRODUCTION OF BILLS

Senate File 61, by Senator Stanley, a bill for an act to provide for the joining of parties in actions on questions of common or general interest, and to provide for the procedure therefor.

The bill was read first and second times and referred to committee on judiciary No. 1.

Senate File 62, by Senator Hopkins, a bill for an act to legalize and validate the tax levy made by the town council of the town of Dallas Center in Dallas county, Iowa, in the year 1934 and to be collected in the year 1935 for the purpose of providing funds to pay interest and create a sinking fund to retire principal on forty-one thousand (\$41,000) dollars water works bonds of said town of Dallas Center, Iowa.

The bill was read first and second times and referred to committee on judiciary No. 1.

Senator Patterson was granted unanimous consent to have House Concurrent Resolution 6, as it was amended and passed by the House, printed in the Senate Journal.

HOUSE CONCURRENT RESOLUTION 6

Whereas, Criticism and insinuations of irregularities have been and are being made relative to the sale and issuance of warrants on the part of the state of Iowa by the State Treasurer, and the Executive Council of the state of Iowa, and

Whereas, It appears that there are conflicting statements and reports relative to such sale and issuance, and

Whereas, The people of the state of Iowa are absolutely entitled to have and receive the true facts in this matter, and

Whereas, All parties directly concerned are entitled to a fair and impartial hearing in connection with the said sale and issuance of warrants, and

Whereas, The final word and authority of baring these facts and records rests with the direct representatives of the people of the state of Iowa: namely, the General Assembly, now, therefore,

Be It Resolved by the House, the Senate concurring: That a joint investigating committee of six members of the Forty-sixth General Assembly be appointed, three of whom shall be appointed by the President of the Senate from the members of the Senate, two of whom shall be from the majority party and one of whom shall be from the minority party; and three of whom shall be appointed by the Speaker of the House of Representatives from the members of the House of Representatives, two of whom shall be from the majority party and one of whom shall be from the minority party, and

Be It Further Resolved: That said investigating committee shall be and they are hereby authorized and directed to investigate all transactions, sale, issuance and purchase of all warrants since January 1, 1925, issued and sold under the direction of either the Treasurer of the state of Iowa, the Board of Education, the Board of Control, or the Executive Council of the state of Iowa, and that said investigating committee is hereby authorized to demand and require the production of all papers, books, records, contracts, letters and every other document and thing connected with the sale and/or purchase of state warrants since the first day of January, 1925, from the Treasurer of the state of Iowa, the Board of Education, the Board of Control, the Executive Council of the state of Iowa, any member of the Executive Council, the secretary of the Executive Council, any employee of the state of Iowa, or any other person, and

Be It Further Resolved: That each member of the said joint investigating committee shall have the power to subpoena witnesses and administer the oath, and take testimony, and

Be It Further Resolved: That said report be made a matter of public record for the people of the state of Iowa.

LA MAR FOSTER.

A. H. BONNSTETTER.

A. H. BAUMHOVER.

THIRD READING OF BILLS

On motion of Senator Corwin, Senate File 41, a bill for an act to legalize the transfer of money from the light fund of the city of Muscatine, Iowa, to the special fire maintenance fund and to authorize the issuance of bonds to fund the same, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Corwin moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 46:

Aschenbrenner	Doze	Kimberly	Pendray
Baldwin	Driscoll	Malone	Reese
Beardsley	Elthon	Mason	Roelofs
Bell of Crawford	Fisch	McArthur	Schmidt
Bell of	Geske	Meyer	Shaw
Des Moines	Goetsch	Miller	Stanley
Berg	Grunewald	Millhone	Stevens of
Billingsley	Harrington	Moore	Decatur
Byers	Hopkins	Mullaney	Stevens of
Calhoun	Hush	Nelson	Wapello
Corwin	Husted	Parker	Valentine
Dewey	Irwin	Patterson	Wilson
Donohue			

Nays, 1:

Shangle

Absent or not voting, 3:

Anderson Chrystal Knudson

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

Senator Corwin moved that the vote by which Senate File 41 passed the Senate be reconsidered and the motion to reconsider be laid on the table. The motion prevailed.

SENATE FILE 59 MADE SPECIAL ORDER

Senator Malone moved that Senate File 59 be made a special order of business for Friday morning at 10:00 a. m. The motion prevailed.

THIRD READING OF BILLS

House Joint Resolution 1, a joint resolution providing for the opening each day with prayer, of the two Houses of the Forty-sixth General Assembly and the compensation therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senators Shangle, Mason, Mullaney, Aschenbrenner, Baldwin, Elthon and Fisch offered the following amendment and moved its adoption:

Amend House Joint Resolution 1 by striking all after the enacting clause and inserting in lieu thereof the following: "That upon the daily convening of each house of the General Assembly of Iowa the presiding officer thereof shall call the members and others present to their feet, and they shall stand in silent devotion for a period of two minutes, or until released by the gavel."

Senator Patterson moved the previous question on House Joint Resolution 1 and all amendments thereto be put. The motion prevailed.

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 11:

Anderson	Bell of	Mason	Mullaney
Baldwin	Des Moines	Meyer	Shangle
Bell of	Fisch	Moore	
Crawford	Goetsch		

Nays, 36:

Aschenbrenner	Elthon	Malone	Schmidt
Beardsley	Geske	McArthur	Shaw
Berg	Grunewald	Millhone	Stanley
Billingsley	Harrington	Nelson	Stevens of
Byers	Hopkins	Parker	Decatur
Calhoun	Hush	Patterson	Stevens of
Corwin	Husted	Pendray	Wapello
Dewey	Irwin	Reese	Valentine
Donohue	Kimberly	Roelofs	Wilson
Driscoll	Knudson		

Absent or not voting, 3:

Chrystal	Doze	Miller
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The amendment not having received a majority was declared to have been lost.

The joint resolution was read for information.

Senator Elthon moved that the reading just had be considered the third reading and the joint resolution be placed on its passage, which motion prevailed.

The question was, Shall the joint resolution pass?

On the question, Shall the joint resolution pass? the vote was:

Ayes, 37:

Aschenbrenner	Elthon	Malone	Schmidt
Beardsley	Geske	McArthur	Shaw
Berg	Grunewald	Millhone	Stanley
Billingsley	Harrington	Mullaney	Stevens of
Byers	Hopkins	Nelson	Decatur
Calhoun	Hush	Parker	Stevens of
Corwin	Husted	Patterson	Wapello
Dewey	Irwin	Pendray	Valentine
Donohue	Kimberly	Reese	Wilson
Driscoll	Knudson	Roelofs	

Nays, 7:

Anderson	Fisch	Mason	Shangle,
Bell of	Goetsch	Meyer	
Crawford			

Absent or not voting, 6:

Baldwin	Bell of	Chrystal	Miller
	Des Moines	Doze	Moore

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

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

House File 28, a bill for an act relating to the license fees for hunting and fishing.

VIRGIL LEKIN, *Chief Clerk.*

THIRD READING OF BILLS

House File 54, a bill for an act to make an emergency appropriation for salaries, support and maintenance of the Iowa State Teachers College, Cedar Falls, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Patterson moved the previous question which motion prevailed.

Senator Berg moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 43:

Aschenbrenner	Donohue	Knudson	Patterson
Baldwin	Driscoll	Malone	Pendray
Beardsley	Fisch	Mason	Reese
Bell of	Geske	McArthur	Roelofs
Crawford	Grunewald	Meyer	Schmidt
Berg	Harrington	Miller	Shaw
Billingsley	Hopkins	Millhone	Stanley
Byers	Hush	Moore	Stevens of
Calhoun	Husted	Mullaney	Wapello
Chrystal	Irwin	Nelson	Valentine
Corwin	Kimberly	Parker	Wilson
Dewey			

Nays, 6:

Anderson
Doze

Elthon
Goetsch

Shangle

Stevens of
Decatur

Absent or not voting, 1:

Bell of
Des Moines

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

Senator Berg moved that the vote by which House File 54 passed the Senate be reconsidered and the motion to reconsider laid on the table, which motion prevailed.

Senator Berg was granted unanimous consent that the rules be suspended and House File 54 be messaged to the House immediately.

SENATE FILE 38 WITHDRAWN

Senator Berg received unanimous consent to withdraw Senate File 38 from further consideration by the Senate.

COPIES SENATE FILE 7 ORDERED

By unanimous consent, Senator Mullaney ordered 600 copies of Senate File 7 printed.

HOUSE MESSAGES CONSIDERED

House File 28, a bill for an act to amend section ten (10) of chapter thirty (30), acts of the Forty-fifth General Assembly, Regular Session, as amended by chapter twenty (20), acts of the Forty-fifth General Assembly, Extraordinary Session, relating to the license fees for hunting and fishing.

The bill was read first and second times and referred to committee on fish and game.

House File 17, a bill for an act to amend section fifty-seven hundred forty-five (5754), Code, 1931, relating to the power of city or town councils to regulate dance halls.

The bill was read first and second times and referred to committee on cities and towns.

Senator Malone moved that the Senate adjourn until 2:00 p. m. By unanimous consent Senator Malone withdrew his motion to adjourn.

On motion of Senator Moore, the Senate recessed until the fall of the gavel.

At the fall of the gavel the Senate came to order.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

Senate File 57, a bill for an act declaring that an emergency exists and providing for an increase of the statutory exemption from execution for residents who are heads of families. VIRGIL LEKIN, *Chief Clerk*.

PUBLIC HEARING ANNOUNCED

Senator Shangle announced a public hearing on a bill proposed by the Women Voters' League of Des Moines to be held Friday at 2:00 p. m. before the committee on elections and contests.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had signed Senate File 3 on February 6, 1935, and Senate File 34 on February 4, 1935.

On motion of Senator Hush, the Senate again recessed until the fall of the gavel.

The Senate came to order at the fall of the gavel.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 57.

JOHN N. CALHOUN, *Chairman Senate Committee*.

DEWEY E. GOODE, *Chairman House Committee*.

The report was adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate Senate File 57.

BILL SENT TO THE GOVERNOR

Senator Calhoun, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 7th day of February, 1935, sent to the Governor for his approval Senate File 57. JOHN N. CALHOUN, *Chairman*.

Passed on file.

Senator Wilson was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 63, by Senator Kimberly, a bill for an act to amend section seven hundred forty-eight (748), Code, 1931, relating to the printing of ballots, and to provide for the printing of separate ballots where all names can not be placed on the voting machine.

The bill was read first and second times and referred to committee on elections and contests.

The Journal of February 6, 1935, was approved.

REPORT OF STATE BANKING BOARD

The President of the Senate announced the filing of the report of the state banking board as required under chapter one hundred twenty-five (125), section thirteen-a (13-a), laws of the Forty-fifth General Assembly, Extraordinary Session. The report was referred to the committee on banks and banking.

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

AMENDMENTS FILED

Amend Senate File 59 by striking the word "when" in line 13 of section two (2) thereof, and inserting in lieu thereof the word "unless."

Further amend the said act by inserting the word "it" immediately following the semicolon after the word "served" in line 70, section two (2) thereof. E. P. DONOHUE.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 8, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. H. C. Guy, pastor of the Church of Christ in New Sharon, Iowa.

PETITIONS AND MEMORIALS

The following petitions opposing the basic science bill were received and filed, to be referred to the committee on public health: Senator Stevens of Decatur, from residents of Decatur, Ringgold, and Union counties; Senator Geske, from residents of Clayton county; Senator Berg, from residents of Black Hawk county; Senator Wilson, from residents of Polk county; Senator Anderson, from residents of Calhoun and Webster counties; Senator Nelson, from residents of Boone and Story counties; Senator Stanley, from residents of Adams and Taylor counties; Senator Goetsch, from residents of Howard and Winneshiek counties; Senator Shaw, from residents of Buena Vista, Humboldt, and Pocahontas counties; Senator Grunewald, from residents of Benton and Tama counties; Senator Donohue from residents of Chickasaw and Floyd counties; Senator Husted, from residents of Adair county; Senator Chrystal, from residents of Carroll, Greene and Sac counties; Senator Roelofs, from residents of Sioux county; Senator Kimberly, from residents of Scott county; Senator Hush, from residents of Mills and Montgomery counties; Senator Baldwin, from residents of Dubuque county; Senator Knudson, from residents of Hamilton, Hardin and Wright counties; Senator Elthon, from residents of Mitchell, Winnebago and Worth counties; Senator McArthur, from residents of Cerro Gordo, Franklin and Hancock counties; Senator Pendray, from residents of Jackson county; Senator Fisch, from residents of Cherokee county; Senator Mason, from residents of Delta.

The following petitions were received and filed to be referred to the designated committees:

Senator Wilson, from residents of Des Moines, opposing the special tax on "chain stores" doing business in the state. Committee on cities and towns.

Senator Byers, from residents of Linn county, in regard to local option on liquor stores or places where beer is sold. Committee on judiciary No. 2.

Senator Beardsley, from World War veterans of Warren county, in regard to tax exemptions upon property belonging to veterans. Committee on judiciary No. 1.

Senator Bell of Crawford, from the board of directors of Boyer township, proposing the collection of the 2 per cent sales tax. Committee on judiciary No. 1.

Senator Wilson, from the Iowa state association of registered nurses, favoring Senate File 49 and Senate File 50. Committee on public health.

Senator Wilson, from residents of Des Moines, favoring House File 37. Committee on state planning.

Senator Doze, from residents of Chariton, in regard to the tax on the so-called "chain stores" doing business in the state. Committee on cities and towns.

INTRODUCTION OF BILLS

Senate File 64, by Senator Schmidt, a bill for an act to amend section thirteen thousand two hundred three (13203), Code, 1931, relating to the forfeiture of property used in connection with a game of chance, lottery, gambling scheme or gift enterprise, and providing for the forfeiture of any gambling device or machine used in connection with any game of chance, lottery or gift enterprise.

The bill was read first and second times and referred to the committee on judiciary No. 1.

Senate File 65, by committee on judiciary No. 1, a bill for an act to authorize the issuance and sale of primary road refunding bonds in counties whose indebtedness may be in excess of the legal limitations, to require that funds received by the county treasurer from the sale of such refunding bonds shall be deposited in a spe-

cial trust account, to provide that such funds shall be computed as an off-set against the indebtedness of said county, to provide that the issuance of such bonds shall not be regarded as incurring an indebtedness, to require that any other funds received by the county treasurer for the payment of primary road bonded indebtedness or interest thereon shall be deposited in such special trust account and to prohibit the use of any of such for any purpose other than the payment of primary road bonded indebtedness of said county and interest thereon.

The bill was read first and second times and placed on the calendar.

Senate File 66, by Senator Nelson, a bill for an act to amend paragraph five (5), section ten hundred sixty-three (1063) of the Code, 1931, relating to the amount of the bond to be furnished by each treasurer of a state educational institution under the supervision and control of the Iowa state board of education.

The bill was read first and second times and referred to the committee on educational institutions.

MESSAGES FROM 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 4, a bill for an act relating to notice of tax sale and cost of publication thereof in special charter cities.

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

House File 24, a bill for an act relating to the annual license fees for motor vehicles converted into trucks with less than one thousand pounds capacity.

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

House File 80, a bill for an act providing that certain cities and towns may locate and erect city or town halls in public parks.

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

House File 81, a bill for an act relating to general powers of park commissioners.

VIRGIL LEKIN, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 24, a bill for an act to amend chapter two hundred fifty-one (251), Code, 1931, relating to the annual license fees for

motor vehicles converted into trucks with a loading capacity of less than one thousand (1,000) pounds.

The bill was read first and second time and referred to the committee on motor vehicles.

House File 80, a bill for an act to repeal section fifty-eight hundred thirteen (5813), Code, 1931, and to enact a substitute therefor providing that certain cities and towns may locate and erect city or town halls in public parks, or public grounds and that they may by ordinance permit the location and erection of soldiers monuments or memorial halls in said public parks and public grounds.

The bill was read first and second time and referred to the committee on cities and towns.

House File 81, a bill for an act to amend section fifty-seven hundred ninety-eight (5798), Code, 1931, relating to general powers of park commissioners.

The bill was read first and second time and referred to the committee on cities and towns.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun 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 54.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House File 54.

THIRD READING OF BILLS

The time having arrived for the consideration of Senate File 59, a bill for an emergency act relating to contracts for the sale of real estate where the vendor retains legal title; providing for the continuance of said actions; providing for injunctions enjoining for-

feiture proceedings; providing for the preservations of the rights and equities of the vendee or his heirs or assigns under said contracts; providing for possession of said real estate, and to the rents, income and profits therefrom and providing for the distribution thereof, the bill was taken up and considered.

The bill was read for information.

Senator Donohue offered the following amendments and moved their adoption:

Amend Senate File 59 by striking the word "when" in line 13 of section two (2) thereof, and inserting in lieu thereof the word "unless."

Further amend the said act by inserting the word "it" immediately following the semicolon after the word "served" in line 70, section two (2), thereof.

The motion prevailed and the amendments were adopted.

Senator Calhoun offered the following amendment and moved its adoption:

Amend Senate File 59 by inserting in line 4 of the third paragraph of the preamble following the word "violation" the word "or."

The motion prevailed and the amendment was adopted.

Senator Calhoun offered the following amendment and moved its adoption:

Amend Senate File 59 by striking the word "protections" in paragraph six (6) of the preamble in both lines 3 and 5 and inserting in lieu thereof the word "protection."

The motion prevailed and the amendment was adopted.

Senator Calhoun offered the following amendment and moved its adoption:

Amend Senate File 59 by striking the word "lgislation" in paragraph six (6) of the preamble, line 4, and inserting in lieu thereof the word "legislation."

The motion prevailed and the amendment was adopted.

Senator Calhoun offered the following amendment and moved its adoption:

Amend Senate File 59 by inserting the word "who" in section two (2), line 10, after the second "or."

The motion prevailed and the amendment was adopted.

Senator Calhoun offered the following amendment and moved its adoption:

Amend Senate File 59 by striking the word "vendees" in line 14 of section two (2) and inserting in lieu thereof the word "vendee's."

The motion prevailed and the amendment was adopted.

Senator Calhoun offered the following amendment and moved its adoption:

Amend Senate File 59 by striking the word "from" in line 69 of section two (2).

The motion prevailed and the amendment was adopted.

Senator Calhoun offered the following amendment and moved its adoption:

Amend the title of Senate File 59 by inserting after the word "to" in line 1 the following: "the forfeiture and foreclosure of."

The motion prevailed and the amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 59 in paragraph three (3) of the preamble thereof by striking all of said paragraph three (3) and amendments thereto and inserting in lieu thereof the following:

"Whereas, In the case entitled 'Des Moines Joint Stock Land Bank, Appellant, vs. David T. Nordholm, et al., Appellees,' 217 Iowa, page 1319, decided by the supreme court of the state of Iowa, on the 4th day of April, 1934, it was held that legislation of this character was not in violation of the constitutional provisions regarding the impairment of the obligations of contracts, or the deprivation of vested property rights without due process of law, and it was stated that contract rights and vested interests must reasonably yield to the paramount rights of the state through the reservoir of its reserved police power to protect by appropriate legislation, its sovereignty, its government, its people and their general welfare against exigencies arising out of a great emergency, and"

The motion prevailed and the amendment was adopted.

President pro tempore Harold L. Irwin took the chair at 11:05 a. m.

Senator Shangle offered the following amendment and moved its adoption:

Amend Senate File 59, section two (2), line 15, by striking all after the word "preserve" to and including the word "shown" in line 16.

The motion prevailed and the amendment was adopted.

Senator Stanley offered the following amendment and moved its adoption:

Amend Senate File 59, section two (2), by inserting after the word "takes" in line 42 the words "or has taken."

The motion prevailed and the amendment was adopted.

Senator Hush offered the following amendment and moved its adoption:

Amend Senate File 59, section two (2), after the word "his" in the beginning of line 12 by inserting the words "or their."

The motion prevailed and the amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 59 in section two (2), line 13, by inserting a period in lieu of a comma after the figures "1937" and by capitalizing the letter "u" in the word "unless" immediately following said period.

By unanimous consent Senator Donohue withdrew the amendment.

Senator Byers offered the following amendment and moved its adoption:

Amend Senate File 59 by inserting after the comma at the end of line 2 of section two (2) the following: "and upon which less than twenty (20) per cent of the purchase price has been paid, or where the value of improvements placed on the real estate by the purchaser together with the sum or sums paid to apply on the purchase price, is less than twenty (20) per cent of the purchase price, and."

By unanimous consent Senator Byers withdrew the amendment.

Senator Malone moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 47:

Anderson	Dewey	Knudson	Reese
Aschenbrenner	Donohue	Malone	Roelofs
Baldwin	Doze	Mason	Schmidt
Beardsley	Driscoll	McArthur	Shangle
Bell of Crawford	Fisch	Meyer	Shaw
Bell of	Geske	Miller	Stanley
Des Moines	Goetsch	Millhone	Stevens of
Berg	Grunewald	Mullaney	Decatur
Billingsley	Hopkins	Nelson	Stevens of
Byers	Hush	Parker	Wapello
Calhoun	Husted	Patterson	Valentine
Chrystal	Irwin	Pendray	Wilson
Corwin	Kimberly		

Nays, none.

Absent or not voting, 3:

Elthon Harrington Moore

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

Senator Malone moved that the vote by which Senate File 59 as amended passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Malone was granted unanimous consent to have the rules suspended and Senate File 59 as amended messaged to the House immediately.

MESSAGES FROM 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 house concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 7 memorializing Congress to extend the benefits of the Federal Land Bank loans to all farmers.

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

House Concurrent Resolution 8 extending an invitation to the Pioneer Lawmakers to visit the legislature on February 20th.

VIRGIL LEKIN, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 7

A concurrent resolution memorializing the Congress of the United States to amend the rules and regulations of making loans by the Federal Land Bank.

Whereas, There are thousands of farmers that are not eligible to receive a federal loan, and

Whereas, The rules and regulations that have been placed around the granting of loans by the Federal Government are such that it is impossible for needy farmers to obtain financial help, and

Whereas, Loans are refused on land in drainage districts, land that is in permanent pasture, and land coming under other restrictions, and

Whereas, There are thousands of farmers who have insurance loans which are due or about to become due that cannot be refinanced at the present time, and

Whereas, These farms falling within the restrictions laid down by the rules and regulations of the Federal Land Bank leaves these farmers without financial aid, and

Whereas, Many of these farms are being taxed at the same rate as good farms that have the blessing of the Federal Land Bank, and

Whereas, If a tract of land has a taxable value in the eyes of the government it should have a loan value, and

Whereas, Under the rules and regulations of the Federal Land Bank the land lying in drainage districts, permanent pasture lands, and land coming under other restrictions has no loan value and then the government's assessor later files his report stating the value of said land to be so much per acre, and

Whereas, The commissioner's loans are not accessible to farms of this type, leaving owners of this land without hope of financial aid; now, therefore,

Be It Resolved by the House of Representatives, State of Iowa, the Senate concurring: That we petition and pray the Congress of the United States to amend the law relating to loans made by the Federal Land Bank so that owners of farm land in drainage districts, land in permanent pasture, and land coming under other restrictions may receive the same advantages as owners of any other land, and

Be It Further Resolved: That the Chief Clerk of the House be and he is on the passage of this resolution directed to forward a printed copy of this memorial resolution to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States at Washington, D. C.

Passed on file.

HOUSE FILE 56 REREFERRED

Whereas, The House is advised of a meeting of the Pioneer Lawmakers to be held in the historical building on February 20th and of their custom of calling formally on the Assembly; therefore,

Be It Resolved by the House, the Senate concurring: That the General Assembly meet in joint session on Wednesday, February 20, 1935, at 2:00 p. m., and that the Pioneer Lawmakers be invited to present a representative address in the House chamber on that date.

Passed on file.

HOUSE FILE 56 RECOMMITTED

By unanimous consent granted Senator Stanley, House File 56 was rereferred to the committee on emergency legislation.

COPIES OF SENATE FILE 58 ORDERED

Senator Baldwin received unanimous consent to have 1200 copies of Senate File 58 ordered printed.

The Journal of February 7, 1935, was approved.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had signed Senate File 57 on February 7, 1935.

REPORT OF COMMITTEE

Senator Irwin submitted the following report:

MR. PRESIDENT: Your committee on rules begs leave to report that they have had under consideration the subject of rules for the Senate intended to govern the proceedings of the Senate of the Forty-sixth General Assembly. They recommend that the rules of the Forty-fifth General Assembly in regular session be amended as follows and that when so amended they be adopted as the rules of the Forty-sixth General Assembly in regular session:

Amend rule 1 by inserting, following line 1: "(1) Correction of the Journal."

Further amend rule 1 by inserting, following line 15: "(10) Reports for indefinite postponement."

Further amend rule 1 by renumbering the remaining subdivisions.

Amend rule 2 by striking from line 12 the words, "Immediately preceding the adjournment" and inserting in lieu thereof: "Immediately upon the convening."

Amend rule 3 by striking from lines 2 and 6 the word, "tem" and inserting in lieu thereof the word, "tempore."

Amend rule 4 by striking from the title and body of said rule the word, "messenger," wherever it appears, and inserting in lieu thereof the word, "pages."

Further amend rule 4 by striking from line 7 the word, "six" and inserting in lieu thereof the word, "ten."

Amend rule 5 by striking the first sentence and inserting in lieu thereof, the following: "Thirteen members may have a call of the Senate on any specific item of legislative business, and absent members sent for and their attendance enforced."

Substitute rule 15 of the Forty-fifth General Assembly in extraordinary session for rule 15 of the Forty-fifth General Assembly in regular session.

Substitute rule 17 of the Forty-fifth General Assembly in extraordinary session for rule 17 of the Forty-fifth General Assembly in regular session.

Amend rule 18 by inserting, in line 5, following the word "senator", the words, "or committee."

Substitute rule 20 of the Forty-fifth General Assembly in extraordinary session for the rule 20 of the Forty-fifth General Assembly in regular session, but amended in the following form: Strike from lines 7, 8, 9, 10, 11 and 12 the sentence: "If the bill or joint resolution be ordered to be engrossed, it shall be in order for its third reading any session after that day, except that on the last legislative day it shall be in order for its third reading on the same day as engrossed.", and insert in lieu thereof the following: "If the bill or joint resolution be ordered to be

engrossed, it shall be in order for its third reading at any time thereafter."

Substitute rule 22 of the Forty-fifth General Assembly in extraordinary session for rule 22 of the Forty-fifth General Assembly in regular session, but amended in the following form: Strike from line 2 the word, punctuation and figures, "December 4, 1933," and insert in lieu thereof the words, "twelfth day of March,".

Substitute rule 32 of the Forty-fifth General Assembly in extraordinary session for rule 32 of the Forty-fifth General Assembly in regular session, but amended in the following form: Strike from lines 9 and 10 the words "chairman of a committee" and insert in lieu thereof the words, "President of the Senate," and strike from line 10 the word, "the" and insert in lieu thereof the words, "a specially appointed."

Amend rule 35 by striking the first paragraph and inserting in lieu thereof the following: "The Secretary of the Senate shall note on each bill the date of its reference to a committee. It shall be the duty of each committee to report back to the Senate all bills referred to it, but no bill shall be withdrawn from any committee except upon an affirmative vote of two-thirds of the membership of the Senate."

Amend rule 36 by striking from line 2 the words, "engrossed and."

Amend rule 39 by striking all of the lines 1, 2 and 3 and further by striking from line 4 the syllable, words, and punctuation "mittee report, but no" and by inserting in lieu thereof the word "No."

Amend that portion of rule 47 which appears under the italicized word "Messengers" by striking from the italicized title and body of said rule the words, "messenger" or "messengers" wherever they appear and inserting in lieu thereof the words, "page" or "pages."

Further amend that portion of rule 47 which appears under the italicized word "Messengers" by striking the sentence: "While the Senate is sitting, two of their number shall be detailed for service in front of the Secretary's desk.", and insert in lieu thereof the sentence: "The Secretary of the Senate and the sergeant-at-arms shall detail the pages to their respective positions in the Senate chamber."

Further amend rule 47 by inserting as a new and first paragraph thereof the following: "The President of the Senate, or in his absence the President pro tempore, shall have supervision of and control over all officers and employees of the Senate."

Substitute rule 51 of the Forty-fifth General Assembly in extraordinary session for rule 50 of the Forty-fifth General Assembly in regular session, and renumber such substituted rule as "rule 50."

H. L. IRWIN, *Chairman.*

REPORT OF COMMITTEE

Senator Roy E. Stevens submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate Joint Resolution 1, a joint resolution creating a joint investigating committee to investigate the operation of the Iowa liquor control act and the administration of said act by the Iowa Liquor Control Commission and to make report of its findings together with recom-

mendations to the Forty-sixth General Assembly, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

By striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. That a joint investigating committee of six (6) members of the Forty-sixth General Assembly of the state of Iowa be appointed, three (3) of whom shall be appointed by the President of the Senate from the members of the Senate, and three (3) of whom shall be appointed by the Speaker of the House of Representatives from the members of the House of Representatives, whose duty it shall be to investigate the administration of the Iowa Liquor Control Commission, and the official acts of the individual members of said commission, and any of the employees thereof, and all of the acts and things done by said commission, its members and its employees, and make a written detailed report of its findings, together with its recommendations, to the Forty-sixth General Assembly of the state of Iowa.

"Sec. 2. That said joint committee is hereby authorized and empowered to employ such attorneys, auditors, expert investigators and employees as may be by it deemed necessary to a thorough and complete investigation.

"Sec. 3. That the Iowa Liquor Control Commission, individual members thereof, and all employees of said commission, are hereby directed and ordered to deliver to said joint committee and to the employees thereof, all books, records and papers as may be deemed necessary by said committee in making such investigation.

"Sec. 4. That said joint committee is hereby authorized and empowered to issue subpoenas for all witnesses and the production of books, papers and records from any place within the state of Iowa, and to compel the attendance of witnesses at any place within the state of Iowa where said committee may deem it advisable to hold hearings; that it shall take testimony in writing, under oath, and each member of said joint committee is hereby authorized and empowered to administer an oath; that it may take testimony of witnesses outside of the state; and any person refusing to answer to a subpoena or refusing to give testimony may be punished for contempt in the manner provided by the laws of the state of Iowa.

"Sec. 5. That in the event any person, firm or corporation, or officer, agent or employee thereof, whether residing within or without the state of Iowa, fails or refuses to produce for the examination or inspection of the joint committee, any books, records or papers showing, or in any manner pertaining to, any transactions with the Iowa Liquor Control Commission, or fails or refuses to appear for examination before the joint committee, when requested or subpoenaed by it, such person, firm or corporation, or any officer, agent or employee thereof, so failing or refusing, and the principal of any officer, agent or employee so failing or refusing, shall be thereafter barred and prohibited from transacting any business with the Iowa Liquor Control Commission. The record of any such failing or refusing appearing in the record of the joint committee shall be notice to the Iowa Liquor Control Commission of such

failure or refusal and the said commission, and each individual member thereof, shall be held responsible in seeing that no future transaction with such persons, firm or corporation, or others so failing or refusing, shall be had.

"Sec. 6. That said joint committee shall cause to be taken down in shorthand and transcribed all testimony taken by or for said committee, and shall on completion of the investigation file same with the Chief Clerk of the House of Representatives and the Secretary of the Senate, the same to be made a matter of public record.

"Sec. 7. That all hearings, investigations, examinations of witnesses or records of whatever kind or character pursuant to this resolution shall be by public or open hearing.

"Sec. 8. There is hereby appropriated out of any funds in the state treasury, not otherwise appropriated, such sum or sums as may be necessary to pay the expenses of the committee provided for in section one (1) hereof, in making the investigation and preparing the report, or reports, required herein not to exceed the sum of five thousand (5,000) dollars; and the State Comptroller is hereby ordered and directed to draw a warrant on the Treasurer of State of the state of Iowa for all sums certified to by any member of said joint committee to meet and pay the expenses of said committee.

"Sec. 9. This act, being deemed of immediate importance, shall be in full force and effect from and after its publication in the Cedar Rapids Gazette, a newspaper published at Cedar Rapids, Iowa, and in the Des Moines Daily Record, a newspaper published at Des Moines, Iowa."

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

COMMUNICATION FROM THE SECRETARY OF STATE

STATE OF IOWA

Secretary of State

I, Mrs. Alex Miller, Secretary of State of the state of Iowa, custodian of the acts and resolutions of the General Assembly,

DO HEREBY CERTIFY that the attached instrument is a true and correct copy of a proposed amendment to the constitution of the state of Iowa, known as Senate Joint Resolution 5, adopted and approved by the Forty-fifth General Assembly, (regular session), and relating to the state census; that said resolution was published in accordance with the law, prior to the general election of November 6, 1934, and that said resolution is now properly referred, by its own terms, to the Forty-sixth General Assembly.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal this 14th day of January, A. D. 1935.

(Seal)

MRS. ALEX MILLER, *Secretary of State.*

A Joint Resolution proposing an amendment to article three (III) of the constitution of the state of Iowa by repealing section thirty-three (33) relating to the state census.

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

That the constitution of Iowa be amended as follows:

Section 1. Amend article three (III) by repealing section thirty-three (33) relating to the state census.

Sec. 2. Be it further resolved that the foregoing proposed amendment be, and the same is hereby, referred to the General Assembly to be chosen at the next general election and that the Secretary of State cause the same to be published as provided by law.

N. G. KRASCHEL, *President of the Senate.*

GEO. E. MILLER, *Speaker of the House.*

I hereby certify that this joint resolution originated in the Senate and is known as Senate Joint Resolution 5.

BYRON G. ALLEN, *Secretary of the Senate.*

AMENDMENTS FILED

Amend the Byers-Wilson amendment to Senate Joint Resolution 1 by striking section eight (8) and inserting in lieu thereof the following:

"Sec. 8. There is hereby appropriated out of the liquor control act fund such sum or sums as may be necessary to pay the expenses of the committee provided for in section one (1) hereof in making the investigation and preparing the report or reports required herein and the state comptroller is hereby ordered and directed to draw a warrant or warrants on the treasurer of state of the state of Iowa payable from the liquor control act fund for all sums certified to by any member of said joint committee to meet and pay the expenses of said committee."

HOMER HUSH.

JOHN N. CALHOUN.

Amend House Concurrent Resolution 6, as it appears on pages 188 and 189 of the Senate Journal, by striking all after the enacting clause thereof, and inserting in lieu thereof the following:

"That a joint investigating committee of six members of the Forty-sixth General Assembly be appointed, three of whom shall be appointed by the President of the Senate from the members of the Senate, and three of whom shall be appointed by the Speaker of the House of Representatives from the members of the House of Representatives, and

Be It Further Resolved: That said investigating committee shall be and is hereby authorized and directed to investigate all transactions, sale, issuance and purchase of all warrants and anticipatory warrants issued and sold under the direction of the treasurer of the state of Iowa, and

Be It Further Resolved: That said investigating committee is hereby authorized and empowered to employ such attorneys and other employees as it may deem necessary to make this investigation and that said investigating committee is hereby authorized to demand and require the production of all papers, books, records, letters and every other document connected with the sale, issuance and purchase of all such warrants and anticipatory warrants, and

Be It Further Resolved: That each member of said investigating committee is hereby authorized and empowered to issue subpoenas for all

witnesses, books and records as he may deem necessary in the making of said investigation, and

Be It Further Resolved: That said investigating committee shall cause to be taken down in shorthand and transcribed all testimony taken by or for said committee and shall on completion of the investigation file same with the chief clerk of the House of Representatives and the secretary of the Senate, the same to be made a matter of public record, and

Be It Further Resolved: That all hearings, investigations, examinations of witnesses or records of whatever kind or character pursuant to this resolution shall be by public or open hearing, and

Be It Further Resolved: That said investigating committee shall make a written detailed report of its findings together with its recommendations to the Forty-sixth General Assembly of the state of Iowa.

G. W. PATTERSON.

Amend Senate File 31 by striking lines 4 and 5, in section one (1) of the printed bill, and inserting in lieu thereof the following:

"Telephone service is hereby declared to be a commodity of commerce."

J. E. DOZE.

On motion of Senator Stevens of Decatur the Senate adjourned until 10:00 a. m. Monday, February 11, 1935.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 11, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. E. Y. Hunker, from the Reorganized Church of Jesus Christ of Latter Day Saints at Council Bluffs, Iowa.

PETITIONS AND MEMORIALS

The following petitions opposing the basic science bill were received and filed, to be referred to the committee on public health:

Senator Patterson, from residents of Kossuth and Palo Alto counties; Senator Hopkins, from residents of Dallas county; Senator Irwin, from residents of Clinton county; Senator Moore, from residents of Pottawattamie county; Senator Mason, from residents of Keokuk county; Senator Wilson, from residents of Polk county; Senator Beardsley, from residents of Clarke and Warren counties; Senator Hush, from residents of Montgomery county; Senator Mullaney, from residents of Fayette and Allamakee counties; Senator Miller, from residents of Cedar and Jones counties; Senator Dewey, from residents of Washington county; Senator Valentine, from residents of Appanoose county; Senator Driscoll, from residents of Lee county.

The following petitions favoring the basic science bill were received and filed, to be referred to the committee on public health:

Senator Patterson, from residents of Kossuth, Emmet, Palo Alto, Dickinson and Clay counties; Senator Goetsch, from residents of Winneshiek county; Senator Beardsley, from residents of Warren county; Senator Stanley, from residents of Adams county; Senator Hopkins, from residents of Guthrie county; Senator Mason, from residents of Keokuk county; Senator Meyer, from residents of Butler county; Senator Schmidt, from residents of

Johnson and Iowa counties; Senator Millhone, from residents of Page county; Senator Donohue, from residents of Chickasaw county; Senator Hush, from residents of Montgomery county; Senator Berg, from residents of Black Hawk county; Senator Shangle, from residents of Mahaska county; Senator Parker, from residents of Delaware county; Senator Harrington, from residents of Sioux City; Senator Corwin, from residents of Muscatine county; Senator Geske, from residents of Clayton county; Senator Baldwin, from residents of Dubuque county.

The following petitions were received and filed to be referred to the designated committees:

Senator Moore, from residents of Pottawattamie county, opposing the special tax on "chain stores" doing business in the state. Committee on cities and towns.

Senator Valentine, from residents of Appanoose county, opposing the special tax on "chain stores" doing business in the state. Committee on cities and towns.

Senator Bell of Des Moines, from residents of West Burlington, favoring the special tax on "chain stores" doing business in the state. Committee on cities and towns.

Senator Corwin, from residents of Muscatine, in regard to local option on liquor stores or places where beer is sold. Committee on judiciary No. 2.

Senator Malone, from residents of Shelby county, in regard to local option on liquor stores or places where beer is sold. Committee on judiciary No. 2.

Senator Goetsch, from residents of Winneshiek county, in regard to classification of one-half ton trucks. Committee on motor vehicles.

Senator Donohue, from the board of supervisors of Floyd county, opposing the reduction of salaries of county officials. Committee on compensation of public officers.

Senator Harrington, from residents of Woodbury county, opposing the special tax on "chain stores" doing business in the state. Committee on cities and towns.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Husted for the day, on request of Senator Millhone.

INTRODUCTION OF BILLS

Senate File 67, by committee on departmental affairs, a bill for an act to amend sections fifteen hundred seventy-four (1574), fifteen hundred seventy-four-a-one (1574-a1), fifteen hundred seventy-five (1575), thirty-one hundred-d6 (3100-d6), thirty-one hundred-d7 (3100-d7), thirty-one hundred-d8 (3100-d8), thirty-one hundred-d10 (3100-d10), all of the Code of 1931, to transfer certain duties relating to cigarette and oleomargarine tax stamps from the auditor of state to the state comptroller.

The bill was read first and second times and placed on calendar.

Senate File 68, by Senator Shangle, a bill for an act to amend section eleven thousand seven hundred thirty-two (11732), Code of 1931, relating to plan of division of land at execution sale.

The bill was read first and second times and referred to the committee on judiciary No. 1.

Senate File 69, by Senator Shangle, a bill for an act to amend section forty-one-a (41-a), chapter eighty-two (82) of the laws enacted by the Extra Session of the Forty-fifth General Assembly, relating to retail sales tax.

The bill was read first and second times and referred to the committee on ways and means.

Senate File 70, by Senator Grunewald, a bill for an act to amend section four thousand seventy-two (4072), of the Code, 1931, relating to the date on which the superintendent of the Iowa school for the deaf shall make certain reports to the state comptroller.

The bill was read first and second times and referred to the committee on educational institutions.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 4.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File 4.

BILL SENT TO THE GOVERNOR

Senator Calhoun, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully report they have on this 11th day of February, 1935, sent to the Governor for his approval Senate File 4.

JOHN N. CALHOUN, *Chairman.*

Passed on file.

HOUSE CONCURRENT RESOLUTION 6 MADE SPECIAL ORDER

Senator Valentine moved that House Concurrent Resolution 6 be made a special order of business for 10:00 a. m. Tuesday, which motion prevailed.

SENATE JOINT RESOLUTION 1 MADE SPECIAL ORDER

Senator Geske moved that Senate Joint Resolution 1 be made a special order of business for Tuesday morning immediately following the disposition of House Concurrent Resolution 6.

As a substitute motion, Senator Wilson moved that Senate Joint Resolution 1 be made a special order of business for Monday at 2:00 p. m. By unanimous consent Senator Wilson withdrew the substitute motion.

Senator Wilson moved, as a substitute for the Geske motion, that Senate Joint Resolution 1 be made a special order of business for 9:30 Tuesday morning, and that it should proceed to final determination before the consideration of House Concurrent Resolution 6.

Senator Irwin moved the previous question, which motion prevailed.

The motion to substitute prevailed and the substitution was made.

The substitute motion that Senate Joint Resolution 1 be made a special order of business for Tuesday at 9:30 a. m. and that it thereupon proceed to its final determination prevailed.

THIRD READING OF BILLS

Senate File 65, a bill for an act to authorize the issuance and sale of primary road refunding bonds in counties whose indebtedness may be in excess of the legal limitations, to require that funds received by the county treasurer from the sale of such refunding bonds shall be deposited in a special trust account, to provide that such funds shall be computed as an off-set against the indebtedness of said county, to provide that the issuance of such bonds shall not be regarded as incurring an indebtedness, to require that any other funds received by the county treasurer for the payment of primary road bonded indebtedness or interest thereon shall be deposited in such special trust account and to prohibit the use of any of such for any purpose other than the payment of primary road bonded indebtedness of said county and interest thereon, was taken up and considered.

Senator Hush offered the following amendment and moved its adoption:

Amend the title of Senate File 65 by adding after the last word "thereon" and before the period the following: "and to repeal all laws to the extent they conflict herewith."

The motion prevailed and the amendment was adopted.

Senator Hush received unanimous consent to amend the amendment to the title of Senate File 65 by changing the last word from "herewith" to "therewith."

The bill was read for information.

Senator Byers moved that the reading just had be considered the third reading and the bill as amended placed upon its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 45:

Aschenbrenner	Donohue	Knudson	Reese
Baldwin	Doze	McArthur	Roelofs
Beardsley	Driscoll	Malone	Schmidt
Bell of	Erlthon	Mason	Shangle
Des Moines	Fisch	Meyer	Shaw
Berg	Geske	Millhone	Stanley
Billingsley	Goetsch	Moore	Stevens of
Byers	Grunewald	Mullaney	Decatur
Calhoun	Hopkins	Nelson	Stevens of
Chrystal	Hush	Parker	Wapello
Corwin	Irwin	Patterson	Valentine
Dewey	Kimberly	Pendray	Wilson

Nays, none.

Absent or not voting, 5:

Anderson
Bell of Crawford

Harrington

Husted

Miller

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

Senator Byers moved that the vote by which Senate File 65 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Byers received unanimous consent to suspend the rules and have Senate File 65 messaged to the House immediately.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 36, a bill for an act relating to size and boundary lines of school districts.

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

House File 38, a bill for an act providing for the segregation by the county treasurer of taxes paid in the year 1935, which were due and owing prior to January 1, 1935.

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

House File 40, a bill for an act relating to transfer of active county funds.

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

House File 46, a bill for an act legalizing proceedings of the Ledyard Cooperative Creamery Company.

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

House File 53, a bill for an act relating to authority of cities and towns to make certain purchases and improvements.

VIRGIL LEKIN, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 8 CONSIDERED

Senator Hopkins brought up for consideration House Concurrent Resolution 8, as it appears on page 204 of the Senate Journal.

The resolution was read for information.

Senator Hopkins moved that House Concurrent Resolution 8 be adopted. The motion prevailed and the resolution was adopted.

HOUSE CONCURRENT RESOLUTION 7 REFERRED.

Senator Shangle brought up for consideration House Concurrent Resolution 7, as it appears on page 203 of the Senate Journal.

The resolution was read for information.

Senator Patterson moved that House Concurrent Resolution 7 be referred to the proper committee for further consideration.

The motion prevailed and the President referred the resolution to the committee on emergency legislation.

Senator Wilson was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 71, by Senator Wilson, a bill for an act to amend paragraph three (3) of section twenty-one (21) of chapter eighty-two (82) of the acts of the Extraordinary Session of the Forty-fifth General Assembly providing for a five (5) per cent penalty upon additional amounts of income tax found due and providing for interest of one-half ($\frac{1}{2}$) of one (1) per cent per month on such additional amounts of tax and penalty.

The bill was read first and second times and referred to the committee on ways and means.

HOUSE MESSAGES CONSIDERED

House File 46, a bill for an act to legalize the corporate acts and proceedings of the Ledyard Cooperative Creamery Company, Ledyard, Iowa, and to provide for the renewal and extension of the period of corporate existence of said company.

The bill was read first and second times and referred to the committee on judiciary No. 1.

House File 53, a bill for an act to amend sections sixty-two hundred thirty-nine (6239) and sixty-two hundred forty-one (6241), Code, 1931, relating to the authority of cities and towns to make certain purchases and providing for the payment thereof.

The bill was read first and second times and referred to the committee on cities and towns.

House File 40, a bill for an act to amend section three hundred eighty-eight (388), Code, 1931, as amended by chapter sixty-two (62), section two (2), acts of the Forty-fifth General Assembly, Extraordinary Session, relating to the transfer of active county funds.

The bill was read first and second times and referred to the committee on county and township affairs.

House File 36, a bill for an act to fix a minimum size below which existing school districts cannot be reduced and below which new districts cannot be established; to repeal sections forty-one hundred thirty-one-c one (4131-c1) and forty-one hundred thirty-five (4135), Code, 1931, and to repeal sections forty-one hundred thirty-two (4132) and forty-one hundred fifty-two (4152), Code, 1931, and enact substitutes therefor, all relating to the alteration of boundary lines of school districts.

The bill was read first and second times and referred to the committee on public schools.

House File 38, a bill for an act providing for the segregation by the county treasurer of taxes paid in the year 1935 which were due and owing prior to January 1, 1935, and providing that the money so segregated shall be sent to the public taxing bodies in the amount due said taxing bodies and providing that the treasurer of any such taxing body shall keep an accurate list of all warrants which he stamped "unpaid for lack of funds," with the date of issuance, number of the warrant and the amount of same, and providing for the payment of the warrants which were stamped unpaid for lack of funds in the previous fiscal year out of the money so segregated, and providing for the disposition of any balance after the payment of all outstanding warrants, and authorizing the issuance of bonds in the event that the funds are insufficient to pay all outstanding warrants.

The bill was read first and second times and referred to the committee on county and township affairs.

EXECUTIVE SESSION

On motion of Senator Roelofs the Senate resolved itself into executive session.

The Senate arose from executive session and resumed regular session.

The Journal of February 8, 1935, was approved.

CALLS OF THE SENATE FILED

The undersigned request a call of the Senate on motions pertaining to or consideration of Senate Joint Resolution 1.

JOHN K. VALENTINE.

ROY E. STEVENS.

H. C. BALDWIN.

H. L. IRWIN.

M. X. GESKE.

FRANK M. STEVENS.

CARL ASCHENBRENNER.

J. E. DOZE.

M. MOORE.

PAUL H. ANDERSON.

H. J. GRUNEWALD.

CHRIS REESE.

T. F. DRISCOLL.

ANDREW BELL.

The undersigned Senators request a call of the Senate for the consideration of House Concurrent Resolution 6.

JOHN K. VALENTINE.

E. I. MASON.

T. F. DRISCOLL.

WM. MCARTHUR.

H. D. MILLER.

T. W. MULLANEY.

J. E. DOZE.

FRANK M. STEVENS.

L. T. SHANGLE.

PAUL SCHMIDT.

M. X. GESKE.

JAMES M. BELL.

L. H. MEYER.

ANDREW BELL.

MIKE G. FISCH.

REPORT OF COMMITTEE

Senator Roy E. Stevens submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 39, a bill for an act making appropriation to defray the expense of the inaugural ceremonies, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Strike from line 3, section one (1), the words, "three hundred fifty (350) dollars" and insert in lieu thereof the words, "three hundred eighty-nine (389) dollars and fifty (50) cents."

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

On motion of Senator Shangle, the Senate adjourned until 9:30 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 12, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Invocation was delivered by Rev. C. D. Loose, pastor of the First Methodist church, Nevada, Iowa.

PETITIONS AND MEMORIALS

The following petitions favoring the basic science bill were received and filed, to be referred to the committee on public health:

Senator Bell of Crawford, from residents of Monona, Crawford and Harrison counties; Senator Malone, from residents of Shelby county; Senator Stanley, from residents of Adams and Taylor counties; Senator Anderson, from residents of Webster county; Senator Shaw, from residents of Pocahontas, Humboldt and Buena Vista counties; Senator Roelofs, from residents of Sioux, Lyon and Osceola counties; Senator Chrystal, from residents of Sac county; Senator Billingsley, from residents of Jasper county; Senator Hopkins, from residents of Dallas county; Senator Berg, from residents of Black Hawk county; Senator Baldwin, from residents of Dubuque county; Senator Fisch, from residents of Plymouth county; Senator Stevens of Decatur, from residents of Union and Ringgold counties; Senator Driscoll, from residents of Lee county; Senator Schmidt, from residents of Iowa county; Senator Parker, from residents of Delaware county; Senator Patterson, from residents of Kossuth, Dickinson, Emmet and Clay counties.

The following petitions opposing the basic science bill were received and filed, to be referred to the committee on public health:

Senator Shaw, from residents of Buena Vista county; Senator Fisch, from residents of Ida and Cherokee counties; Senator Corwin, from residents of Louisa county; Senator Kimberly, from residents of Scott county; Senator Wilson, from residents of Polk county; Senator Hopkins, from residents of Audubon county; Senator Reese, from residents of Marshall county; Senator Chrystal, from residents of Sac county; Senator Husted, from residents of Madison county.

The following petitions were received and filed to be referred to the designated committees:

Members of the Forty-sixth General Assembly from the Iowa department of the Veterans of the Foreign Wars, recommending the passage of House Resolution 1, calling for immediate and full cash payment of the adjusted service certificates. Committee on appropriations.

Senator Dewey, from residents of Henry county, in regard to tax exemptions upon property belonging to World War veterans. Committee on judiciary No. 1.

Senator Bell of Crawford, from residents of Crawford county, favoring Senate File 36. Committee on railroads and aeronautics.

Senator Patterson, from residents of Kossuth and Emmet counties, in regard to local option on liquor stores or places where beer is sold. Committee on judiciary No. 2.

Senator Fisch, from residents of Plymouth county, in regard to the tax on the so-called "chain stores" doing business in the state. Committee on cities and towns.

Senator Hopkins, from residents of Audubon county, in regard to the tax on the so-called "chain stores" doing business in the state. Committee on cities and towns.

Senator Roelofs, from residents of O'Brien county, in regard to the tax on the so-called "chain stores" doing business in the state. Committee on cities and towns.

Senator Bell of Crawford, from residents of Monona, Crawford and Harrison counties, in regard to the tax on the so-called "chain

stores" doing business in the state. Committee on cities and towns.

Senator Schmidt, from the Johnson county Mercy Hospital Alumnae Association, favoring Senate File 49 and Senate File 50. Committee on public health.

Senator Roelofs, from residents of Sioux county, opposing House Joint Resolution 4. Committee on judiciary No. 1.

INTRODUCTION OF BILLS

Senate File 72, by Senator McArthur, a bill for an act to amend section thirty-nine hundred twenty-six (3926) of the Code, 1931, relating to the loaning of funds belonging to the institutions that are under the supervision and control of the Iowa state board of education.

The bill was read first and second times and referred to the committee on educational institutions.

Senate File 73, by Senator Doze, a bill for an act to amend section one thousand two hundred thirty-one (1231), Code, 1931, relating to examination and qualification of mine inspector.

The bill was read first and second times and referred to the committee on mines and mining.

Senate File 74, by Senator Hopkins, a bill for an act to repeal chapter eight (8), acts Forty-fifth General Assembly, and to enact a substitute therefor, relating to an examination of the financial transactions of the school districts, and to provide for the examination of records and acts of school districts.

The bill was read first and second times and referred to the committee on public schools.

Senate File 75, by Senator Hopkins, a bill for an act to amend paragraph four (4) of section ten hundred sixty-three (1063), of the Code, 1931, relating to the payment of bonds for the members of the finance committee of the Iowa state board of education.

The bill was read first and second times and referred to the committee on educational institutions.

REPORTS OF COMMITTEES

Senator Wilson submitted the following report:

MR. PRESIDENT: Your committee on cities and towns, to which was referred House File 11, a bill for an act to amend section seventy-four (74), chapter one hundred twenty-one (121), acts of the Forty-fifth General Assembly, relating to the millage which may be levied in special charter cities for the city improvement fund, begs leave to report it has had the same under consideration and recommends the same do pass.

GEORGE A. WILSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File 81, a bill for an act to amend section five thousand seven hundred ninety-eight (5798), Code, 1931, relating to general powers of park commissioners, begs leave to report it has had the same under consideration and recommends the same do pass.

GEORGE A. WILSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File 80, a bill for an act to repeal section five thousand eight hundred thirteen (5813), Code, 1931, and to enact a substitute therefor providing that cities and towns may locate and erect city or town halls in public parks, or public grounds and that they may by ordinance permit the location and erection of soldiers' monuments or memorial halls in said public parks and public grounds, begs leave to report it has had the same under consideration and recommends the same do pass.

GEORGE A. WILSON, *Chairman*.

Ordered passed on file.

SENATE JOINT RESOLUTION 1 CONSIDERED

There being a call of the Senate on file, roll call revealed all members of the Senate present, with the exception of Senator Knudson. Senator Knudson appeared in the Senate chamber and the call of the Senate was complete.

The proper time having arrived, Senate Joint Resolution 1, a joint resolution creating a joint investigating committee to investigate the operation of the Iowa liquor control act and the administration of said act by the Iowa liquor control commission and to make report of its findings together with recommendations to the Forty-sixth General Assembly, with report of committee on judiciary No. 2 and report of committee on appropriations, both

recommending amendments and passage, was taken up, considered, and the reports of the committees were adopted.

The joint resolution was read for information.

Senator Wilson moved that the Byers-Wilson amendment to Senate Joint Resolution 1, as found on page 116 of the Senate Journal, be substituted for all pending amendments to this joint resolution.

Senator Patterson moved that the authors of the amendment be given unlimited time to state their case in full.

Senator Irwin raised the point of order that Senator Byers had the floor and any motion was out of order.

Senator Byers yielded to Senator Patterson.

As a substitute for the Patterson motion, Senator Irwin moved the previous question and that each speaker who has filed a request to speak be limited to the time as set out in rule 12.

Senator Wilson raised the point of order that the motion for the previous question could not be offered as a substitute motion and that it must be a separate motion.

Senator Irwin obtained unanimous consent to withdraw the portion of his motion with regard to the length of time each speaker should be allowed, permitting only the substitute motion for the previous question to remain.

Senator Wilson again raised the point of order that the motion for the previous question could not be offered as a substitute motion for any pending motion.

Senator Irwin by unanimous consent withdrew his substitute motion moving the previous question.

Senator Valentine moved, as a substitute motion to the Patterson motion, that all those who had filed requests, or those who might file requests subsequent thereto, to speak on any amendments to Senate Joint Resolution 1 or the bill itself, be given unlimited time for their discussion.

By unanimous consent Senator Patterson withdrew his motion that the authors of the amendment be given unlimited time to state their case in full.

The motion by Senator Valentine prevailed.

The chair ruled that, inasmuch as the Byers-Wilson amendment moved to strike all after the enacting clause of Senate Joint Resolution 1, after the adoption of that amendment further amendments thereto would be in order.

Senators Hush and Calhoun offered the following amendment to the Byers-Wilson amendment:

Amend the Byers-Wilson amendment to Senate Joint Resolution 1 by striking section eight (8) and inserting in lieu thereof the following:

"Sec. 8. There is hereby appropriated out of the liquor control act fund such sum or sums as may be necessary but not to exceed five thousand (5,000) dollars to pay the expenses of the committee provided for in section one (1) hereof in making the investigation and preparing the report or reports required herein and the state comptroller is hereby ordered and directed to draw a warrant or warrants on the treasurer of state of the state of Iowa payable from the liquor control act fund for all sums certified to by any member of said joint committee to meet and pay the expenses of said committee."

Senator Stevens of Wapello raised the point of order as to whether or not an amendment may be adopted to an amendment which has not been adopted. The chair took the matter under advisement.

Senators Wilson and Byers were granted unanimous consent to substitute as section eight (8) of the Byers-Wilson amendment the amendment just offered by Senators Hush and Calhoun.

Senator Stevens of Wapello withdrew his point of order.

Senator Pendray moved the previous question, which motion prevailed.

On motion of Senator Valentine the Senate recessed until 1:00 p. m.

AFTERNOON SESSION

Having recessed until 1:00 p. m. the Senate reconvened, President N. G. Kraschel presiding.

Roll call revealed all members of the Senate present, excepting Senator Anderson.

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 106, a bill for an act relating to interest on unpaid inheritance taxes.
VIRGIL LEKIN, *Chief Clerk.*

Senator Wilson was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 76, by committee on cities and towns, a bill for an act to amend section forty-nine hundred ninety-two (4992), Code, 1931, relating to powers of local authorities in cities and towns and granting additional powers thereto to pass and enforce ordinances for the acquisition, erection, establishment, equipment, operation and maintenance of motor vehicle testing stations, for testing automobiles and trucks using the streets of any such city or town; providing for the collection of fees for such testing service and for applying said fees to the cost of construction, establishment, equipment, operation and maintenance of any such station, and granting to cities and towns additional powers to pay for such testing stations, including the acquisition, erection, establishment, equipment, operation and maintenance thereof, out of past or future earnings or out of the general fund, and authorizing the issuance of revenue bonds payable solely from the earnings of such stations; providing a penalty for the violation of any such ordinance, and validating all ordinances heretofore passed not inconsistent with the provisions hereof.

The bill was read first and second times and placed on the calendar.

Senate File 77, by Senator Kimberly, a bill for an act to amend section nineteen hundred twenty-seven (1927), Code, 1931, relating to penalty for bootlegging.

The bill was read first and second times and referred to the committee on judiciary No. 2.

Senate File 78, by Senator Irwin, a bill for an act to amend chapter eighty-two (82) of the acts of the Forty-fifth General Assembly, Extra Session, relating to taxation.

The bill was read first and second times and referred to the committee on ways and means.

HOUSE MESSAGES CONSIDERED

House File 106, a bill for an act to amend sections ninety-four hundred four (9404) and ninety-four hundred five (9405), Code, 1931, relating to interest in all cases unless specifically agreed upon and interest on judgments and decrees.

The bill was read first and second times and referred to committee on banks and banking.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled House Joint Resolution 1.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Joint Resolution 1.

SENATE JOINT RESOLUTION 1 CONSIDERED FURTHER

Senator Beardsley moved that the Senate proceed with the deliberation on Senate Joint Resolution 1, but that no ballot be taken until the call of the Senate be complete, which motion prevailed.

Senator Anderson appeared in the Senate Chamber and the call of the Senate was complete.

Consideration of the pending Byers-Wilson amendment was resumed.

Roll call was requested.

The question was, Shall the Byers-Wilson amendment be substituted for all pending amendments to Senate Joint Resolution 1?

On the question, Shall the Byers-Wilson amendment be substituted for all pending amendments to Senate Joint Resolution 1? the vote was:

Ayes, 23:

Beardsley	Dewey	Kimberly	Pendray
Berg	Donohue	Knudson	Roelofs
Billingsley	Elthon	Millhone	Shaw
Byers	Hopkins	Nelson	Stanley
Calhoun	Hush	Parker	Wilson
Corwin	Husted	Patterson	

Nays, 27:

Anderson	Driscoll	Mason	Schmidt
Aschenbrenner	Fisch	McArthur	Shangle
Baldwin	Geske	Meyer	Stevens of
Bell of Crawford	Goetsch	Miller	Decatur
Bell of	Grunewald	Moore	Stevens of
Des Moines	Harrington	Mullaney	Wapello
Chrystal	Irwin	Reese	Valentine
Doze	Malone		

Absent or not voting, none.

The motion to substitute was lost.

Senator Roelofs asked for consideration of the Elthon amendment, as found on page 105 of the Senate Journal. The chair ruled that the judiciary No. 2 committee amendment was next in order.

Senator Valentine was granted unanimous consent to amend the judiciary No. 2 committee amendment, as found on page 176 of the Senate Journal, by adding as section five (5) the following:

“Sec. 5. This act being deemed of immediate importance shall be in full force and effect after its passage and publication in the Centerville Daily Iowegian, a newspaper published at Centerville, Iowa, and in the Telegraph Herald, a newspaper published at Dubuque, Iowa.”

The amendment of the committee on judiciary No. 2, as amended, was adopted.

Senator Elthon offered for consideration his amendment as found on page 105 of the Senate Journal.

Senator Elthon was granted unanimous consent to amend the amendment in section four (4), line 2, by inserting after the word “appropriated” the words “from the liquor control act fund.”

Senator Elthon was granted unanimous consent to further amend the same amendment by adding as section five (5) the following:

“Sec. 5. This act being deemed of immediate importance shall be in full force and effect after its passage and publication in, a newspaper published at, and in, a newspaper published at”

The question was, Shall the amendment as amended be adopted?

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

Ayes, 22:

Beardsley	Dewey	Kimberly	Pendray
Berg	Donohue	Millhone	Roelofs
Billingsley	Elthon	Nelson	Shaw
Byers	Hopkins	Parker	Stanley
Calhoun	Hush	Patterson	Wilson
Corwin	Husted		

Nays, 28:

Anderson	Driscoll	Malone	Schmidt
Aschenbrenner	Fisch	Mason	Shangle
Baldwin	Geske	McArthur	Stevens of
Bell of Crawford	Goetsch	Meyer	Decatur
Bell of	Grunewald	Miller	Stevens of
Des Moines	Harrington	Moore	Wapello
Chrystal	Irwin	Mullaney	Valentine
Doze	Knudson	Reese	

Absent or not voting, none.

The Elthon amendment, as amended, was lost.

The amendment by the appropriations committee, as found on page 206 of the Senate Journal, was brought up for consideration.

Senator Valentine raised the point of order that inasmuch as the appropriations committee amendment was the same as the Byers-Wilson amendment, which had failed to pass, the appropriations committee amendment could not now be considered.

The chair sustained the point.

Senator Valentine offered the following amendment and moved its adoption:

Amend the title of Senate Joint Resolution 1 by striking the word "and" as it appears in line 3 and substituting in lieu thereof a comma and also strike the period after the word "Assembly" in line 5 and insert thereafter "giving said committee the power to subpoena witnesses and administer oaths, and to provide an appropriation therefor."

The motion prevailed and the amendment was adopted.

Senator Irwin moved that the reading just had be considered the third reading and the joint resolution placed upon its passage, which motion prevailed.

The question was, Shall the joint resolution as amended pass?

On the question, Shall the joint resolution as amended pass?
the vote was:

Ayes, 50:

Anderson	Donohue	Kimberly	Pendray
Aschenbrenner	Doze	Knudson	Reese
Baldwin	Driscoll	Malone	Roelofs
Beardsley	Elthon	Mason	Schmidt
Bell of Crawford	Fisch	McArthur	Shangle
Bell of Des Moines	Geske	Meyer	Shaw
Berg	Goetsch	Miller	Stanley
Billingsley	Grunewald	Millhone	Stevens of Decatur
Byers	Harrington	Moore	Stevens of Wapello
Calhoun	Hopkins	Mullaney	Valentine
Chrystal	Hush	Nelson	Wilson
Corwin	Husted	Parker	
Dewey	Irwin	Patterson	

Nays, none.

Absent or not voting, none.

The joint resolution as amended having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Valentine moved that the vote by which Senate Joint Resolution 1 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Valentine received unanimous consent to have the rules suspended and Senate Joint Resolution 1 messaged to the House immediately.

The Journal of February 11, 1935, was approved.

REPORT OF COMMITTEE

Senator Pendray submitted the following report:

MR. PRESIDENT: Your committee on public schools to which was referred House File 36, a bill for an act to fix the minimum size below which existing school districts cannot be reduced and below which new districts cannot be established, and to end law relating to alterations of the boundary lines of school districts, begs leave to report it has had the same under consideration and recommends the same do pass.

CAROLYN C. PENDRAY, *Chairman.*

Ordered passed on file.

HOUSE CONCURRENT RESOLUTION 6 MADE SPECIAL ORDER

Senator Valentine moved that House Concurrent Resolution 6 be made a special order for 10:00 a. m. Wednesday and that the Senate adjourn until that time.

The motion prevailed and the Senate adjourned until 10:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 13, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Thomas Carsen, pastor of the M. E. church at Hampton, Iowa.

PETITIONS AND MEMORIALS

The following petitions favoring the basic science bill were received and filed, to be referred to the committee on public health:

Senator Hopkins, from residents of Dallas county; Senator Roelofs, from residents of Osceola county; Senator Schmidt, from residents of Johnson county; Senator Bell, from residents of Monona county; Senator Moore, from residents of Pottawattamie county; Senator Anderson, from residents of Webster and Calhoun counties; Senator Pendray, from residents of Jackson county; Senator Harrington, from residents of Woodbury county; Senator Patterson, from residents of Dickinson county.

The following petitions opposing the basic science bill were received and filed, to be referred to the committee on public health:

Senator Anderson, from residents of Webster county; Senator Wilson, from residents of Polk county; Senator Hush, from residents of Mills county; Senator Elthon, from residents of Mitchell county; Senator Irwin, from residents of Clinton county; Senator Meyer, from residents of Bremer and Buchanan counties.

The following petitions were received and filed, to be referred to the designated committees:

Senator Harrington, from the Iowa State Association of Registered Nurses, Sioux City, favoring Senate File 49 and Senate File 50. Committee on public health.

Senator Meyer, from residents of Bremer county, in regard to the tax on the so-called "chain stores" doing business in the state. Committee on cities and towns.

Senator Fisch, from residents of Plymouth county, in regard to the tax on the so-called "chain stores" doing business in the state. Committee on cities and towns.

Senator Reese, from residents of Marshall county, in regard to the tax on the so-called "chain stores" doing business in the state. Committee on cities and towns.

Senator Chrystal, from residents of Carroll county, in regard to the tax on the so-called "chain stores" doing business in the state. Committee on cities and towns.

Senator Wilson, from residents of Polk county, in regard to the tax on the so-called "chain stores" doing business in the state. Committee on cities and towns.

Senator Harrington, from residents of Woodbury county, in regard to the tax on the so-called "chain stores" doing business in the state. Committee on cities and towns.

Senator Irwin, from residents of Clinton county, favoring Senate File 36. Committee on railroads and aeronautics.

Senator Dewey, from residents of Henry county, favoring Senate File 36. Committee on railroads and aeronautics.

Senator Reese, from residents of Marshall county, favoring Senate File 36. Committee on railroads and aeronautics.

Senator Irwin, from the Roosevelt P. T. A., Clinton, favoring the allocation to the schools of the state, a part of the funds raised by the sales tax, the state income tax, and the corporation tax. Committee on ways and means.

Senator Anderson, from residents of Webster county, opposing the establishment of a state purchasing agency and the establishment of a county purchasing agent. Committee on state planning.

Senator Beardsley, from residents of Warren county, in regard to tax exemptions upon property belonging to World War veterans. Committee on judiciary No. 1.

INTRODUCTION OF BILLS

Senate File 79, by committee on public schools, a bill for an act to amend section forty-two hundred thirty-nine (4239), Code, 1931, relating to the payment of claims against school districts.

The bill was read first and second times and placed on the calendar.

Senate File 80, by Senator Hopkins, a bill for an act to amend chapter forty-one (41), acts Extra Session Forty-fifth General Assembly, relating to high school tuition and transportation so as to provide for determining the cost of transportation; to prohibit special privileges to non-resident high school pupils at the expense of the district unless the district is fully reimbursed; and to provide the penalty for a violation, and the method of enforcement.

The bill was read first and second times and referred to the committee on public schools.

Senate File 81, by Senator Corwin, a bill for an act authorizing municipalities, political subdivisions and taxing districts, including drainage, pumping plant and/or levee districts, to proceed under the provisions of federal bankruptcy laws enacted for the relief of such municipalities, political subdivisions and taxing districts.

The bill was read first and second times and referred to the committee on judiciary No. 1.

Senate Joint Resolution 6, by Senator Mason, a joint resolution providing for appointment of an investigating committee whose duty it shall be fully to investigate the insurance department of the state of Iowa and providing that said committee shall report its findings and recommendations thereon to the General Assembly and to pay the expense of said committee.

The resolution was read first and second times and referred to committee on insurance.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 1, a bill for an act relating to general executions for balance.

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

House File 120, a bill for an act providing for limiting personal deficiency judgments in the foreclosure of real estate mortgages.

VIRGIL LEKIN, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 1, a bill for an act to repeal section twelve thousand three hundred seventy-seven (12377), Code, 1931, relating to general execution for balance.

The bill was read first and second times and referred to the committee on emergency legislation.

House File 120, a bill for an act to amend chapter five hundred twenty-five (525), Code, 1931, providing for limiting personal deficiency judgments in the foreclosure of real estate mortgages.

The bill was read first and second times and referred to the committee on emergency legislation.

HOUSE CONCURRENT RESOLUTION 6 CONSIDERED

There being a call of the Senate on file, roll call revealed all members of the Senate present, with the exception of Senators Baldwin, Harrington, Malone, Roelofs and Stevens of Wapello.

Senators Baldwin, Malone and Roelofs appeared in the Senate chamber.

Senator Pendray moved that the consideration of House Concurrent Resolution 6 be deferred until the membership of the Senate be complete and that the calendar be taken up in the meantime. The motion prevailed.

THIRD READING OF BILLS

Senate File 39, a bill for an act making appropriation to defray the expense of the inaugural ceremonies, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Strike from line 3, section one (1), the words, "three hundred fifty (350) dollars" and insert in lieu thereof the words, "three hundred eighty-nine (389) dollars and fifty (50) cents."

The bill was read for information.

Senator Chrystal moved that the reading just had be considered the third reading and the bill as amended placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 49:

Anderson	Dewey	Irwin	Patterson
Aschenbrenner	Donohue	Kimberly	Pendray
Baldwin	Doze	Knudson	Reese
Beardsley	Driscoll	Malone	Roelofs
Bell of Crawford	Elthon	Mason	Schmidt
Bell of Des Moines	Fisch	McArthur	Shangle
Berg	Geske	Meyer	Shaw
Billingsley	Goetsch	Miller	Stanley
Byers	Grunewald	Millhone	Stevens of Decatur
Calhoun	Harrington	Moore	Valentine
Chrystal	Hopkins	Mullaney	Wilson
Corwin	Hush	Nelson	
	Husted	Parker	

Nays, none.

Absent or not voting, 1:

Stevens of
Wapello

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

On motion of Senator Roelofs, Senate File 67, a bill for an act to amend sections fifteen hundred seventy-four (1574), fifteen hundred seventy-four-a-one (1574-a1), fifteen hundred seventy-five (1575), thirty-one hundred-d 6 (3100-d6), thirty-one hundred-d7 (3100-d7), thirty-one hundred-d8 (3100-d8), thirty-one hundred-d10 (3100-d10), all of the Code of 1931, to transfer certain duties relating to cigarette and oleomargarine tax stamps from the auditor of state to the state comptroller, was taken up and considered.

Senator Roelofs offered the following amendment and moved its adoption:

Amend the publication clause of Senate File 67 by inserting the names and addresses of the following newspapers: "Boyden Reporter," published at "Boyden, Iowa," and "Lyon County Reporter," published at "Rock Rapids, Iowa."

The motion prevailed and the amendment was adopted.

The bill was read for information.

Senator Roelofs moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 49:

Anderson	Donohue	Kimberly	Pendray
Aschenbrenner	Doze	Knudson	Reese
Beardsley	Driscoll	Malone	Roelofs
Bell of Crawford	Elthon	Mason	Schmidt
Bell of	Fisch	McArthur	Shangle
Des Moines	Geske	Meyer	Shaw
Berg	Goetsch	Miller	Stanley
Billingsley	Grunewald	Millhone	Stevens of
Byers	Harrington	Moore	Decatur
Calhoun	Hopkins	Mullaney	Stevens of
Chrystal	Hush	Nelson	Wapello
Corwin	Husted	Parker	Valentine
Dewey	Irwin	Patterson	Wilson

Nays, none.

Absent or not voting, 1:

Baldwin

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

Senator Roelofs moved that the vote by which Senate File 67 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senators Harrington and Stevens of Wapello appeared in the Senate chamber, making the call of the Senate now complete.

RETURN TO CONSIDERATION OF HOUSE CONCURRENT RESOLUTION 6

The proper time having arrived, House Concurrent Resolution 6, as found on pages 188 and 189 of the Senate Journal, was brought up for consideration.

Senator Patterson was granted unanimous consent to withdraw his amendment filed to House Concurrent Resolution 6 as found on pages 209 and 210, with the understanding that he might re-introduce portions of that amendment later.

Senator Valentine offered the following amendments and moved their adoption:

Amend House Concurrent Resolution 6 by striking from line 3 of the second paragraph after the enacting clause the following: "all transactions," and inserting in lieu thereof the word "the."

By inserting after "Iowa," in line 7 of the second paragraph of the enacting clause the following: "and to investigate the making of refunds of motor vehicle fuel tax since January 1, 1925, by the Treasurer of the state of Iowa."

The motion prevailed and the amendments were adopted.

Senator Valentine offered the following amendment and moved its adoption:

By inserting after the word "warrants" in line 11 of the second paragraph after the enacting clause the following: ", and with the making of motor vehicle fuel tax refunds,"

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

By striking the third paragraph after the enacting clause, and inserting in lieu thereof the following:

Be It Further Resolved: "That said joint investigating committee shall have the power to take testimony and the chairman or acting chairman thereof shall have the power to subpoena witnesses on order of the committee and to administer the oath."

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 26:

Anderson	Geske	McArthur	Schmidt
Aschenbrenner	Goetsch	Meyer	Shangle
Baldwin	Grunewald	Miller	Stevens of
Bell of Crawford	Harrington	Moore	Decatur
Bell of	Irwin	Mullaney	Stevens of
Des Moines	Malone	Pendray	Wapello
Doze	Mason	Reese	Valentine
Driscoll			

Nays, 22:

Beardsley	Dewey	Kimberly	Patterson
Berg	Donohue	Knudson	Roelofs
Billingsley	Elthon	Millhone	Shaw
Byers	Hopkins	Nelson	Stanley
Calhoun	Hush	Parker	Wilson
Corwin	Husted		

Absent or not voting, 2:

Chrystal Fisch

The motion prevailed and the amendment was adopted.

Senator Patterson offered the following amendment and moved its adoption:

To strike the last paragraph of House Concurrent Resolution 6 and insert in lieu thereof:

"Be It Further Resolved: That said investigating committee shall make a written detailed report of its findings together with its recommendations to the Forty-sixth General Assembly of the state of Iowa."

The motion prevailed and the amendment was adopted.

Senator Patterson offered the following amendment and moved its adoption:

Amend House Concurrent Resolution 6 by inserting as the paragraph immediately preceding the last paragraph the following:

"Be It Further Resolved: That all hearings, investigations, examinations of witnesses or records of whatever kind or character pursuant to this resolution shall be by public or open hearing, and."

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 23:

Beardsley	Dewey	Kimberly	Pendray
Berg	Donohue	Knudson	Roelofs
Billingsley	Elthon	Millhone	Shaw
Byers	Hopkins	Nelson	Stanley
Calhoun	Hush	Parker	Wilson
Corwin	Husted	Patterson	

Nays, 26:

Anderson	Driscoll	Mason	Schmidt
Aschenbrenner	Geske	McArthur	Shangle
Baldwin	Goetsch	Meyer	Stevens of
Bell of Crawford	Grunewald	Miller	Decatur
Bell of	Harrington	Moore	Stevens of
Des Moines	Irwin	Mullaney	Wapello
Chrystal	Malone	Reese	Valentine
Doze			

Absent or not voting, 1:

Fisch

The motion to amend was lost.

Senator Patterson offered the following amendment and moved its adoption:

Amend House Concurrent Resolution 6 by inserting as the paragraph immediately preceding the last paragraph the following:

"Be It Further Resolved: That said investigating committee shall cause to be taken down in shorthand and transcribed all testimony taken by or for said committee and shall on completion of the investigation file

same with the Chief Clerk of the House of Representatives and the Secretary of the Senate, the same to be made a matter of public record, and."

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

AFTERNOON SESSION

The Senate reconvened, having recessed until 1:30 p. m., President N. G. Kraschel presiding.

Senator Pendray was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 82, by committee on public schools, a bill for an act to repeal sections forty-two hundred twenty-three-a two (4223-a2) and forty-two hundred twenty-three-b one (4223-b1), Code, 1931, as amended by chapter fifty-three (53) acts Forty-fifth General Assembly, and enact substitutes therefor; to repeal sections forty-two hundred sixteen-c twenty-eight (4216-c28) and forty-two hundred twenty-two (4222), Code, 1931, and enact substitutes therefor; to amend sections forty-two hundred sixteen-c seven (4216-c7), forty-two hundred sixteen-c nine (4216-c9), forty-two hundred sixteen-c ten (4216-c10), and forty-two hundred sixteen-c twenty-four (4216-c24), Code, 1931; and to amend sections thirteen (13) and fourteen (14), chapter fifty-three (53), acts Forty-fifth General Assembly, all relating to the election or appointment, qualification, and tenure of school officers.

The bill was read first and second times and placed on the calendar.

Senate File 83, by Senator Reese, a bill for an act to amend section fifty-three hundred ninety-nine (5399), Code, 1931, relating to the selection of official county newspapers.

The bill was read first and second times and referred to the committee on printing.

Senator Stevens of Wapello moved that the Senate be at ease until the fall of the gavel. The motion prevailed.

The Senate came to order at the fall of the gavel.

HOUSE CONCURRENT RESOLUTION 6 CONSIDERED FURTHER

A roll call revealed that all members of the Senate were present.

Senator Stevens of Wapello offered the following amendment and moved its adoption:

Amend the amendment offered by Senator Patterson to House Concurrent Resolution 6 which was as follows:

"That said investigating committee shall cause to be taken down in shorthand and transcribed all testimony taken by or for said committee and shall on completion of the investigation file same with the Chief Clerk of the House of Representatives and the Secretary of the Senate, the same to be made a matter of public record, and"

By inserting in line 2 after the word "all" the following: "pertinent."

Senator Patterson raised the point of order that the amendment of Senator Stevens was out of order inasmuch as he wished to amend an amendment to an amendment.

The chair ruled that Senator Patterson's amendment was to the original concurrent resolution, therefore the amendment of Senator Stevens was in order.

Roll call was requested.

The question was, Shall the amendment to the amendment be adopted?

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

Ayes, 25:

Anderson	Doze	Mason	Schmidt
Aschenbrenner	Elthon	McArthur	Shangle
Baldwin	Geske	Meyer	Stevens of
Bell of Crawford	Grunewald	Miller	Decatur
Bell of	Harrington	Moore	Stevens of
Des Moines	Irwin	Mullaney	Wapello
Chrystal	Malone	Reese	Valentine

Nays, 24:

Beardsley	Dewey	Husted	Patterson
Berg	Donohue	Kimberly	Pendray
Billingsley	Fisch	Knudson	Roelofs
Byers	Goetsch	Millhone	Shaw
Calhoun	Hopkins	Nelson	Stanley
Corwin	Hush	Parker	Wilson

Absent or not voting, 1:

Driscoll

Senator Stevens' amendment to the amendment of Senator Patterson was adopted.

Senator Shangle offered the following amendment to the pending amendment by Senator Patterson:

Amend by striking in line 2 after the word "shorthand" the following words: "and transcribe."

Roll call was requested.

The question was, Shall the amendment to the amendment be adopted.

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

Ayes, 14:

Baldwin	Doze	Meyer	Shangle
Bell of Crawford	Driscoll	Miller	Stevens of
Bell of	Harrington	Moore	Decatur
Des Moines	Irwin	Mullaney	Valentine

Nays, 36:

Anderson	Donohue	Kimberly	Pendray
Aschenbrenner	Elthon	Knudson	Reese
Beardsley	Fisch	Malone	Roelofs
Berg	Goetze	Mason	Schmidt
Billingsley	Goetsch	McArthur	Shaw
Byers	Grunewald	Millhone	Stanley
Calhoun	Hopkins	Nelson	Stevens of
Chrystal	Hush	Parker	Wapello
Corwin	Husted	Patterson	Wilson
Dewey			

Absent or not voting, none.

The amendment to the amendment was lost.

The chair called for a division of the vote on the adoption of the Patterson amendment, as amended.

The amendment as amended was adopted.

Senator Patterson offered the following amendment and moved its adoption:

Amend House Concurrent Resolution 6 by inserting as immediately following the amendment just adopted the following:

"Be It Further Resolved: That said investigating committee is hereby authorized and empowered to employ such attorneys and other employees as it may deem necessary to make this investigation, and."

The question was, Shall the amendment be adopted?

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

Ayes, 29:

Anderson	Dewey	Kimberly	Pendray
Aschenbrenner	Donohue	Knudson	Roelofs
Beardsley	Doze	McArthur	Shaw
Berg	Elthon	Millhone	Stanley
Billingsley	Fisch	Nelson	Stevens of
Byers	Hopkins	Parker	Wapello
Calhoun	Hush	Patterson	Wilson
Corwin	Husted		

Nays, 21:

Baldwin	Geske	Mason	Schmidt
Bell of Crawford	Goetsch	Meyer	Shangle
Bell of	Grunewald	Miller	Stevens of
Des Moines	Harrington	Moore	Decatur
Chrystal	Irwin	Mullaney	Valentine
Driscoll	Malone	Reese	

Absent or not voting, none.

The amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend the title of House Concurrent Resolution 6 by striking the first "and" in line 4 of the first paragraph of the preamble; by striking the second "and" in line 4 of the first paragraph of the preamble and inserting in lieu thereof the following: "the board of education, and the board of control, and relative to the issuance of motor vehicle fuel tax refunds;" by inserting after the word "and" in line 3 of the fourth paragraph of the preamble the following: "with the issuance of motor vehicle fuel tax refunds, and."

The motion prevailed and the amendment was adopted.

The concurrent resolution as amended was unanimously adopted.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had signed Senate File 4 on the eleventh day of February, 1935.

The Journal of February 12, 1935, was approved.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 14, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by the pastor of the Corydon Christian church of Corydon, Iowa, Rev. William Sessions, Jr.

PETITIONS AND MEMORIALS

The following petitions favoring the basic science bill were received and filed, to be referred to the committee on public health:

Senator Geske, from residents of Clayton county; Senator Fisch, from residents of Ida county; Senator Beardsley, from residents of Warren county; Senator Anderson, from residents of Webster county; Senator Baldwin, from residents of Dubuque county; Senator Byers, from residents of Linn county.

The following petitions opposing the basic science bill were received and filed, to be referred to the committee on public health:

Senator Baldwin, from residents of Dubuque county; Senator Byers, from residents of Linn county; Senator Wilson, from residents of Polk county.

The following petitions were received and filed, to be referred to the designated committees:

Senator Baldwin, from the Dubuque Druggists' Association, favoring the tax on the so-called "chain stores" doing business in the state. Committee on cities and towns.

Senator Byers, from residents of Linn county, favoring the tax on the so-called "chain stores" doing business in the state. Committee on cities and towns.

Senator Bell of Crawford, from residents of Harrison county,

opposing the tax on the so-called "chain stores" doing business in the state. Committee on cities and towns.

Senator Harrington, from residents of Woodbury county, opposing the tax on the so-called "chain stores" doing business in the state. Committee on cities and towns.

Senator Fisch, from residents of Oyens, favoring Senate File 36. Committee on cities and towns.

Senator Harrington, from the Alumnae Association of St. Joseph Mercy Hospital, Sioux City, favoring Senate File 49 and Senate File 50. Committee on public health.

Senator Byers, from the St. Luke's Methodist Alumni Association, Cedar Rapids, favoring Senate File 49 and Senate File 50. Committee on public health.

Senator Byers, from Iowa State Association of Registered Nurses, favoring Senate File 49 and Senate File 50. Committee on public health.

Senator Stanley, from residents of Taylor county, favoring House File 37. Committee on state planning.

INTRODUCTION OF BILLS

Senate File 84, by Senator Hopkins, a bill for an act to amend section three (3), chapter fifty-four (54), acts of the Forty-fifth General Assembly relating to contracts with teachers in the public schools.

The bill was read first and second times and referred to committee on public schools.

Senate File 85, by Senators Shangle, Dewey, and Bell of Crawford, a bill for an act to prohibit the passing out, posting or distributing of campaign cards, folders, literature, bills or posters pertaining to the candidacy of any candidate for any political office, on the day of any general, primary, city or school election.

The bill was read first and second times and referred to committee on elections and contests.

Senate File 86, by Senator Mason, a bill for an act to amend section forty-six hundred forty-four-c twenty (4644-c20), Code,

1931, relating to power of board of supervisors to affix salary of county engineer.

The bill was read first and second times and referred to committee on compensation of public officers.

SENATE FILE 14 WITHDRAWN

Senator Shaw was granted unanimous consent to withdraw Senate File 14 from further consideration of the Senate, inasmuch as House File 84, covering the same subject matter, had become law.

SENATE FILE 7 REFERRED

Senator Byers was granted unanimous consent to withdraw Senate File 7 from the committee on judiciary No. 1 in order that it might be referred to the committee on emergency legislation.

THIRD READING OF BILLS

Senate File 76, a bill for an act to amend section forty-nine hundred ninety-two (4992), Code, 1931, relating to powers of local authorities in cities and towns and granting additional powers thereto to pass and enforce ordinances for the acquisition, erection, establishment, equipment, operation and maintenance of motor vehicle testing stations, for testing automobiles and trucks using the streets of any such city or town; providing for the collection of fees for such testing service and for applying said fees to the cost of construction, establishment, equipment, operation and maintenance of any such station, and granting to cities and towns additional powers to pay for such testing stations, including the acquisition, erection, establishment, equipment, operation and maintenance thereof, out of past or future earnings or out of the general fund, and authorizing the issuance of revenue bonds payable solely from the earnings of such stations; providing a penalty for the violation of any such ordinance, and validating all ordinances heretofore passed not inconsistent with the provisions hereof, was taken up and considered.

The bill was read for information.

Senator Wilson offered the following amendments and moved their adoption:

Amend Senate File 76 by inserting as section three (3) the following: "Sec. 3. The provisions of this act shall be applicable to cities acting under special charter."

Further amend by renumbering the remaining sections.

The motion prevailed and the amendments were adopted.

Senator Hopkins offered the following amendment and moved its adoption:

Amend Senate File 76, by inserting as one of the newspapers in the publication clause "Guthrie Times," a newspaper published at "Guthrie Center, Iowa."

The motion prevailed and the amendment was adopted.

Senator Beardsley offered the following amendment and moved its adoption:

Amend Senate File 76, by inserting as the second newspaper in the publication clause "Indianola Herald," a newspaper published at "Indianola, Iowa."

Senator Beardsley received unanimous consent to withdraw his amendment.

By unanimous consent granted Senator Wilson, action on Senate File 76 was deferred but ordered to retain its place on the calendar.

House File 11, an act to amend section seventy-four (74) of chapter one hundred twenty-one (121), acts Forty-fifth General Assembly, relating to the millage which may be levied in special charter cities for the city improvement fund, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Corwin moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 46:

Anderson	Berg	Donohue	Harrington
Aschenbrenner	Billingsley	Driscoll	Hopkins
Baldwin	Byers	Elthon	Hush
Beardsley	Calhoun	Fisch	Husted
Bell of Crawford	Chrystal	Geske	Kimberly
Bell of	Corwin	Goetsch	Malone
Des Moines	Dewey	Grunewald	Mason

McArthur	Mullaney	Reese	Stevens of
Meyer	Nelson	Roelofs	Decatur
Miller	Parker	Shangle	Stevens of
Millhone	Patterson	Shaw	Wapello
Moore	Pendray	Stanley	Valentine
			Wilson

Nays, none.

Absent or not voting, 4:

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

House File 36, a bill for an act to fix a minimum size below which existing school districts cannot be reduced and below which new districts cannot be established; to repeal sections forty-one hundred thirty-one-c one (4131-c1) and forty-one hundred thirty-five (4135), Code, 1931, and to repeal sections forty-one hundred thirty-two (4132) and forty-one hundred fifty-two (4152), Code, 1931, and enact substitutes therefor, all relating to the alteration of boundary lines of school districts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Pendray moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 48:

Anderson	Dewey	Irwin	Pendray
Aschenbrenner	Donohue	Knudson	Reese
Baldwin	Doze	Malone	Roelofs
Beardsley	Driscoll	Mason	Schmidt
Bell of Crawford	Elthon	McArthur	Shangle
Bell of	Fisch	Meyer	Shaw
Des Moines	Geske	Miller	Stanley
Berg	Goetsch	Millhone	Stevens of
Billingsley	Grunewald	Moore	Decatur
Byers	Harrington	Mullaney	Stevens of
Calhoun	Hopkins	Nelson	Wapello
Chrystal	Hush	Parker	Wilson
Corwin	Husted	Patterson	

Nays, none.

Absent or not voting, 2:

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

Senator Pendray moved that the vote by which House File 36 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House File 80, a bill for an act to repeal section fifty-eight hundred thirteen (5813), Code, 1931, and to enact a substitute therefor providing that cities and towns may locate and erect city or town halls in public parks, or public grounds and that they may by ordinance permit the location and erection of soldiers monuments or memorial halls in said public parks and public grounds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shangle offered the following amendment and moved its adoption:

Amend House File 80 in section one (1), line 11, by striking the word "of" and inserting in lieu thereof the following words, "belonging to."

The motion prevailed and the amendment was adopted.

The bill was read for information.

Senator Berg moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

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

Ayes, 45:

Anderson	Corwin	Husted	Parker
Aschenbrenner	Dewey	Irwin	Patterson
Baldwin	Donohue	Kimberly	Pendray
Beardsley	Doze	Knudson	Roelofs
Bell of Crawford	Driscoll	Malone	Schmidt
Bell of Des Moines	Fisch	McArthur	Shangle
Berg	Geske	Meyer	Shaw
Billingsley	Goetsch	Miller	Stevens of
Byers	Grunewald	Millhone	Decatur
Calhoun	Harrington	Moore	Stevens of
Chrystal	Hopkins	Mullaney	Wapello
	Hush	Nelson	Wilson

Nays, none.

Absent or not voting, 5:

Elthon	Reese	Stanley	Valentine
Mason			

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

Senator Berg moved that the vote by which House File 80 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Berg was granted unanimous consent to have the rules suspended and House File 80 messaged to the House immediately.

House File 81, a bill for an act to amend section fifty-seven hundred ninety-eight (5798), Code, 1931, relating to general powers of park commissioners, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Berg moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 45:

Anderson	Corwin	Husted	Parker
Aschenbrenner	Dewey	Irwin	Patterson
Baldwin	Donohue	Kimberly	Pendray
Beardsley	Driscoll	Knudson	Roelofs
Bell of Crawford	Elthon	Malone	Shangle
Bell of	Fisch	McArthur	Shaw
Des Moines	Geske	Meyer	Stanley
Berg	Goetsch	Miller	Stevens of
Billingsley	Grunewald	Millhone	Decatur
Byers	Harrington	Moore	Stevens of
Calhoun	Hopkins	Mullaney	Wapello
Chrystal	Hush	Nelson	Wilson

Nays, none.

Absent or not voting, 5:

Doze	Keese	Schmidt	Valentine
Mason			

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

Senator Berg moved that the vote by which House File 81 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Berg was granted unanimous consent to have the rules suspended and House File 81 messaged to the House immediately.

Senate File 79, a bill for an act to amend section forty-two hundred thirty-nine (4239), Code, 1931, relating to the payment of claims against school districts, was taken up and considered.

The bill was read for information.

Senator Pendray moved that action on Senate File 79 be deferred but that the bill retain its place on the calendar.

The motion prevailed.

Senate File 82, a bill for an act to repeal sections forty-two hundred twenty-three-a two (4223-a2) and forty-two hundred twenty-three-b one (4223-b1), Code, 1931, as amended by chapter fifty-three (53), acts Forty-fifth General Assembly, and enact substitutes therefor; to repeal sections forty-two hundred sixteen-c twenty-eight (4216-c28) and forty-two hundred twenty-two (4222), Code, 1931, and enact substitutes therefor; to amend sections forty-two hundred sixteen-c seven (4216-c7), forty-two hundred sixteen-c nine (4216-c9), forty-two hundred sixteen-c ten (4216-c10), and forty-two hundred sixteen-c twenty-four (4216-c24), Code, 1931; and to amend sections thirteen (13) and fourteen (14), chapter fifty-three (53), acts Forty-fifth General Assembly, all relating to the election or appointment, qualification, and tenure of school officers, was taken up and considered.

The bill was read for information.

Senator Shangle offered the following amendment and moved its adoption:

Amend Senate File 82 in section one (1), line 14, by striking the word "appointed" and substituting in lieu thereof the word "elected."

Senator Millhone moved that action on Senate File 82 be deferred but that the bill retain its place on the calendar.

The motion prevailed.

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

AFTERNOON SESSION

Having recessed until 1:30 p. m., the Senate reconvened at the fall of the gavel, President N. G. Kraschel presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate Joint Resolution 1, creating a joint investigating committee to investigate the operation and administration of the Iowa liquor control act and providing an appropriation therefor.

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

Senate File 41, a bill for an act to legalize the transfer of money from the light fund of the city of Muscatine, Iowa, to the special fire maintenance fund and to authorize the issuance of bonds to fund the same.

Also: That the House has concurred in the Senate amendments and passed the following bill in which the concurrence of the House was asked:

House File 80, a bill for an act relating to the erection and location of city, town or memorial halls and soldiers' monuments.

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

House File 111, a bill for an act relating to the investment of the funds of fraternal beneficiary societies, orders, or associations.

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

House File 112, a bill for an act to authorize and direct the printing of the skeleton card digest of the current opinions of the supreme court.

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

House File 113, a bill for an act relating to the power of the secretary of agriculture to make rules and regulations.

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

House File 114, a bill for an act relating to reports to be made by the auditor of state.

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

House File 115, a bill for an act relating to state aid for certain school activities.

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

House File 116, a bill for an act relating to the restoration or replenishment of the state sinking fund for public deposits.

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

House File 117, a bill for an act relating to the amount of taxes which may be voted in certain instances.

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

House File 118, a bill for an act relating to the adoption of children.

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

House File 119, a bill for an act relating to the inurement of policies

of insurance to the benefit of one who has obtained a judgment against the insured.

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

House File 125, a bill for an act relating to the liability of officers who make deposits of public funds.

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

House File 152, a bill for an act relating to the foreclosure of real estate mortgages and deeds of trust or notes secured thereby.

VIRGIL LEKIN, *Chief Clerk.*

Senator Wilson was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 87, by Senator Wilson, a bill for an act to amend section twelve thousand seven hundred seventy-two (12772), Code, 1931, relating to investment of trust funds.

The bill was read first and second times and referred to the committee on banks and banking.

HOUSE MESSAGES CONSIDERED

House File 111, a bill for an act to amend paragraph eight (8) of section eighty-eight hundred twenty-nine (8829), Code, 1931, relating to the investment of the funds of fraternal beneficiary societies, orders, or associations.

The bill was read first and second times and referred to the committee on insurance.

House File 112, a bill for an act to authorize and direct the printing of the skeleton card digest of the current opinions of the supreme court, now being maintained in the office of the Code editor.

The bill was read first and second times and referred to the committee on judiciary No. 1.

House File 113, a bill for an act to amend section thirty-two hundred forty-four-b six (3244-b6), Code, 1931, as amended by the extra session of the Forty-fifth General Assembly (ch. 35), relating to the power of the secretary of agriculture to make rules and regulations.

The bill was read first and second times and referred to the committee on departmental affairs.

House File 114, a bill for an act to amend section three hundred

forty-two (342), Code, 1931, relating to reports to be made by the auditor of state.

The bill was read first and second times and referred to the committee on departmental affairs.

House File 115, a bill for an act to repeal sections forty-four hundred forty (4440) to forty-four hundred forty-five (4445), inclusive, Code, 1931, relating to state aid for certain school activities.

The bill was read first and second times and referred to the committee on public schools.

House File 116, a bill for an act to repeal chapter one hundred thirty-eight (138), acts Forty-fifth General Assembly, relating to the restoration or replenishment of the state sinking fund for public deposits with funds obtained from the Reconstruction Finance Corporation and other agencies.

The bill was read first and second times and referred to the committee on banks and banking.

House File 117, a bill for an act to amend sections fifty-eight hundred eighty-two (5882), fifty-eight hundred ninety (5890), and eighty-one hundred eighty-one (8181), Code, 1931, relating to the amount of taxes which may be voted in certain instances and to harmonize said sections with the provisions of Forty-fifth General Assembly, chapter one hundred twenty-one (121).

The bill was read first and second times and referred to the committee on banks and banking.

House File 118, a bill for an act to repeal sections thirty-seven hundred fourteen (3714), and thirty-seven hundred fifteen (3715), Code, 1931, and to enact a substitute therefor, and so to amend sections thirty-seven hundred two (3702), thirty-seven hundred seventeen (3717); and thirty-seven hundred nineteen (3719), of said Code as to coordinate said sections with chapter four hundred seventy-three (473) of said Code, relating to the adoption of children.

The bill was read first and second times and referred to the committee on public schools.

House File 119, a bill for an act to amend section eighty-nine hundred forty (8940), Code, 1931, by striking out certain provisions relating to the inurement of policies of insurance to the benefit of one who has obtained a judgment against the insured,

to repeal section nine thousand seventy-one (9071) of said Code, and to enact a substitute for such stricken and repealed provisions, and to provide the time in which an action to enforce such inurement may be brought.

The bill was read first and second times and referred to the committee on insurance.

House File 125, a bill for an act to amend section seventy-four hundred twenty-d eight (7420-d8), Code, 1931, relating to the liability of officers who make deposits of public funds in accordance with chapter three hundred fifty-two-d one (352-d1), Code, 1931.

The bill was read first and second times and referred to the committee on public schools.

House File 152, a bill for an act to amend Senate File 34, section two (2), acts of the Forty-sixth General Assembly, and approved by the Governor on the fourth day of February, 1935, and now on file in the office of the Secretary of State, relating to an emergency act relative to the foreclosure of real estate mortgages and deeds of trust or notes secured thereby.

The bill was read first and second times and referred to the committee on emergency legislation.

CALL OF THE SENATE FILED

The undersigned senators request a call of the Senate on consideration of Senate Joint Resolution 1.

JOHN K. VALENTINE.

T. W. MULLANEY.

PAUL H. ANDERSON.

L. H. MEYER.

VINCENT F. HARRINGTON.

ROY E. STEVENS.

WM. MCARTHUR.

H. L. IRWIN.

T. F. DRISCOLL.

JAMES BELL.

ANDREW BELL.

CAROLYN PENDRAY.

H. J. GRUNEWALD.

I. G. CHRYSTAL.

HOUSE AMENDMENTS CONSIDERED

By unanimous consent that the rules be suspended Senator Valentine brought up for consideration Senate Joint Resolution 1, as amended by the House.

Amend Senate Joint Resolution 1 by striking all after the enacting clause and inserting in lieu thereof:

Section 1. That a joint investigation committee of six members of the Forty-sixth General Assembly of the state of Iowa be appointed, three of whom shall be appointed by the President of the Senate from the members of the Senate, to be selected from both political parties and three of whom shall be appointed by the Speaker of the House of Representatives

from the members of the House of Representatives to be selected from both political parties.

Sec. 2. That the said investigating committee be and is hereby authorized, directed and empowered to investigate the operations of said Iowa liquor control act and the administration of said act by the Iowa Liquor Control Commission and the transactions of any individuals, firms, corporations or partnerships with the Iowa Liquor Control Commission, and the official acts of the individual members of said commission and any of the members thereof and all of the acts and things done by the said commission, its members and its employees. Each member of the joint investigation committee is hereby authorized to issue subpoenas for witnesses and to administer oaths, to require the production of books and records pertaining to any transaction with or by the Iowa Liquor Control Commission from any place either within or without the state.

Sec. 3. Upon the completion of said investigation by said committee, they shall make a written and detailed report of the findings of the joint investigating committee with its recommendations to the Forty-sixth General Assembly. The findings of the committee and the records of the evidence shall be a matter of public record.

Sec. 4. That in the event any person, firm or corporation or officer, agent or employee thereof, fails or refuses to produce for the examination and inspection of the joint committee any books, records or papers showing, or in any manner pertaining to any transaction with the Iowa Liquor Control Commission or fails or refuses to appear for examination before the joint committee when requested or subpoenaed by it shall be, thereafter, barred and prohibited from transacting any business with the Iowa Liquor Control Commission. The record of such failing or refusing, appearing in the record of the joint committee shall be notice to the Iowa Liquor Control Commission of such failure or refusal and the said commission, and each individual member thereof, shall be held responsible in seeing that no future transactions with any such persons, firms or corporations, or others so failing or refusing, shall be had.

Sec. 5. There is hereby appropriated out of any funds in the state treasury, not otherwise appropriated, the sum of ten thousand (10,000) dollars or so much thereof as may be necessary to pay the expenses of the committee, including the employment of such attorneys, auditors, investigators and employees deemed necessary by the joint investigating committee.

Sec. 6. This act being deemed of immediate importance shall be in full force and effect after its passage and publication in the Cedar Rapids Gazette, a newspaper published at Cedar Rapids, Iowa, and in the Sioux City Tribune, a newspaper published at Sioux City, Iowa.

There being a call of the Senate on file, roll call revealed all members present, excepting Senators Bell of Des Moines, Malone and Reese.

Senators Bell of Des Moines, Malone, and Reese appeared in the Senate Chamber, making the call of the Senate complete.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate Joint Resolution 1, as amended by the House, by striking from lines 9 and 10 of section two (2) the following: "Each member of the joint investigation committee is hereby authorized" and inserting in lieu thereof the following: "On order of the committee each member thereof shall have the power."

Senator Harrington moved the previous question on the pending amendment.

Senator Driscoll raised the point of order that the matter under discussion had previously been adversely acted on by the Senate and could not again be considered.

Senator Valentine raised the point of order that the previous question had been moved.

Senator Hopkins raised the point that a Senator had the floor at the time the previous question was moved and that the motion for the previous question was out of order.

The chair ruled that the point of order raised by Senator Valentine was not well taken and sustained the point of order raised by Senator Hopkins.

Senator Elthon moved the Senate recess until 3:00 p. m., which motion was lost.

Senator Driscoll, by unanimous consent, withdrew his point of order.

The chair ruled that inasmuch as the matter had been called to the attention of the chair, the presiding officer felt obliged to insist that the Senate by either a two-thirds vote or unanimous consent agree to consider the House amendment, since it was clearly a matter upon which this body had acted.

The question was, Shall the House amendment be considered?

On the question, Shall the House amendment be considered? the vote was:

Ayes, 43:

Anderson	Calhoun	Grunewald	Meyer
Aschenbrenner	Chrystal	Hopkins	Miller
Beardsley	Corwin	Hush	Millhone
Bell of Crawford	Dewey	Husted	Mullaney
Bell of	Donohue	Kimberly	Nelson
Des Moines	Elthon	Knudson	Parker
Berg	Fisch	Malone	Patterson
Billingsley	Geske	Mason	Pendray
Byers	Goetsch	McArthur	Reese

Roelofs Shangle Shaw	Stanley Stevens of Decatur	Stevens of Wapello	Valentine Wilson
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Nays, 3:

Baldwin	Harrington	Moore
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Absent or not voting, 4:

Doze	Driscoll	Irwin	Schmidt
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The Senate having agreed to consider the House amendment to Senate Joint Resolution 1, Senator Valentine was granted unanimous consent to suspend the rules and proceed with the consideration of the Valentine amendment to Senate Joint Resolution 1, as amended in the House.

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

Senator Patterson requested a roll call.

The question was, Shall the amendment to the House amendment be adopted?

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

Ayes, 25:

Anderson	Doze	Malone	Schmidt
Aschenbrenner	Driscoll	Mason	Shangle
Baldwin	Fisch	McArthur	Stevens of
Bell of Crawford	Geske	Meyer	Decatur
Bell of	Goetsch	Miller	Stevens of
Des Moines	Grunewald	Mullaney	Wapello
Chrystal	Harrington	Reese	Valentine

Nays, 25:

Beardsley	Donohue	Kimberly	Patterson
Berg	Elthon	Knudson	Pendray
Billingsley	Hopkins	Millhone	Roelofs
Byers	Hush	Moore	Shaw
Calhoun	Husted	Nelson	Stanley
Corwin	Irwin	Parker	Wilson
Dewey			

Absent or not voting, none.

Rule 8 was invoked.

The motion to amend the House amendment was lost.

Senator Beardsley moved that the Senate concur with the House in its amendment to Senate Joint Resolution 1.

Senator Wilson moved the previous question, which motion prevailed.

The question was, Shall the Senate concur?

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

Ayes, 41:

Anderson	Corwin	Husted	Patterson
Aschenbrenner	Dewey	Irwin	Pendray
Beardsley	Donohue	Kimberly	Reese
Bell of Crawford	Doze	Knudson	Roelofs
Bell of	Elthon	Malone	Shaw
Des Moines	Geske	McArthur	Stanley
Berg	Goetsch	Meyer	Stevens of
Billingsley	Grunewald	Millhone	Wapello
Byers	Harrington	Mullaney	Valentine
Calhoun	Hopkins	Nelson	Wilson
Chrystal	Hush	Parker	

Nays, 9:

Baldwin	Mason	Schmidt	Stevens of
Driscoll	Miller	Shangle	Decatur
Fisch	Moore		

Absent or not voting, none.

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

Senator Valentine moved that Senate Joint Resolution 1 be given its final reading and be placed upon its passage, which motion prevailed.

The question was, Shall the joint resolution as amended pass?

On the question, Shall the joint resolution as amended pass? the vote was:

Ayes, 47:

Anderson	Dewey	Knudson	Reese
Aschenbrenner	Donohue	Malone	Roelofs
Baldwin	Doze	Mason	Schmidt
Beardsley	Elthon	McArthur	Shangle
Bell of Crawford	Geske	Meyer	Shaw
Bell of	Goetsch	Miller	Stanley
Des Moines	Grunewald	Millhone	Stevens of
Berg	Harrington	Mullaney	Decatur
Billingsley	Hopkins	Nelson	Stevens of
Byers	Hush	Parker	Wapello
Calhoun	Husted	Patterson	Valentine
Chrystal	Irwin	Pendray	Wilson
Corwin	Kimberly		

Nays, 3:

Driscoll	Fisch	Moore
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Absent or not voting, none.

Rule 8 was invoked.

The joint resolution, as amended, having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Valentine moved that the vote by which Senate Joint

Resolution 1 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Journal of February 13, 1935, was approved.

REPORTS OF COMMITTEES

Senator Shangle submitted the following report:

MR. PRESIDENT: Your committee on elections and contests to which was referred Senate File 55, a bill for an act so to amend chapter forty-nine (49) of the Code, 1931, as to require a contestant for a seat in the General Assembly to file a cost bond as a condition precedent to maintaining the contest, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

By striking out all that portion of section one (1) following the word "which" in line 6 thereof and substituting in lieu thereof the following:

"with security to be approved by the Secretary of State, conditioned to pay all costs in case the election be confirmed or the statement of contest be dismissed or the prosecution fail.

"Said costs shall also include a reasonable attorney fee for the prevailing party.

"The surety in said bond must be either a surety company authorized to transact business within this state, or an individual or individuals with the same qualifications as is required of sureties on other bonds authorized by law in section twelve thousand seven hundred fifty-four (12754), of the 1931 Code of Iowa."

L. T. SHANGLE, *Chairman.*

Ordered passed on file.

Senator Kimberly submitted the following report:

MR. PRESIDENT: Your committee on ways and means to which was referred Senate File 30, a bill for an act to amend section six thousand nine hundred fifty-three (6953), Code, 1931, relating to taxable property, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

D. W. KIMBERLY, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 79 in section one (1), line 7, after the comma following the word "postage" insert the word "printing" followed by a comma.

HOWARD C. BALDWIN.

Amend Senate File 76 by striking section two (2) and inserting in lieu thereof the following:

"Sec. 2. All laws in conflict herewith are to the extent of such conflict hereby suspended."

LEO ELTHON.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 15, 1935.

The Senate met in regular session, President pro tempore Harold L. Irwin presiding.

Rev. C. M. Corrie, minister of the Methodist Episcopal church of Waukee, offered prayer.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Schmidt for the day, on request of Senator Corwin; Senator Bell of Crawford for the day, on request of Senator Mullaney; Senator Stanley for the day, on request of Senator Knudson; Senator Donohue for the day, on request of Senator Pendray.

PETITIONS AND MEMORIALS

The following petitions favoring the basic science bill were received and filed, to be referred to the committee on public health:

Senator Driscoll, from residents of Lee county; Senator Shaw, from residents of Humboldt county; Senator McArthur, from residents of Franklin county; Senator Mason, from residents of Keokuk county; Senator Stevens of Wapello, from residents of Wapello county; Senator Mullaney, from residents of Fayette county; Senator Malone, from residents of Cass county; Senator Husted, from residents of Adair county.

The following petitions opposing the basic science bill were received and filed, to be referred to the committee on public health:

Senator Shaw, from residents of Pocahontas county; Senator Kimberly, from residents of Scott county; Senator McArthur, from residents of Cerro Gordo and Franklin counties; Senator Mason, from residents of Keokuk county; Senator Stevens of Wapello, from residents of Wapello county; Senator Calhoun, from residents of Jefferson county; Senator Hush, from residents

of Montgomery county; Senator Malone, from residents of Cass and Shelby counties.

The following petitions were received and filed to be referred to the designated committees:

Senator Patterson, from residents of Palo Alto county, opposing the tax on the so-called "chain stores" doing business in the state. Committee on cities and towns.

Senator Shangle, from residents of Mahaska county, opposing the tax on the so-called "chain stores" doing business in the state. Committee on cities and towns.

Senator Stevens of Wapello, from residents of Wapello county, in regard to local option on liquor stores or places where beer is sold. Committee on judiciary No. 2.

The following petitions favoring House File 37 were received and filed, to be referred to the committee on state planning:

Senator Stevens of Wapello, from residents of Wapello county; Senator Berg, from residents of Black Hawk county; Senator Stevens of Decatur, from residents of Union county; all members of the General Assembly, from the Shoe Rebuilders Association of Black Hawk county.

The following petitions favoring Senate File 36 were received and filed, to be referred to the committee on railroads and aeronautics:

Senator Bell of Crawford, from residents of Harrison county; Senator Reese, from residents of Marshall county; Senator Husted, from residents of Adair county.

The following petitions favoring Senate File 49 and Senate File 50 were received and filed, to be referred to the committee on public health:

Senator Reese, from nurses of Marshall county; Senator Berg, from nurses of Black Hawk county.

INTRODUCTION OF BILLS

Senate File 88, by Senator Harrington, a bill for an act to amend section seventy-one hundred nine (7109), Code, 1931, relating to assessment of property for taxation.

The bill was read first and second times and referred to the committee on ways and means.

Senate File 89, by Senator Meyer, a bill for an act to amend section three thousand seventy-eight (3078), Code, 1931, relating to sanitary regulations for production and sale of dairy products.

The bill was read first and second times and referred to the committee on livestock and dairy.

Senate File 90, by Senator Husted, a bill for an act relating to tampering with speedometers on motor vehicles.

The bill was read first and second times and referred to the committee on motor vehicles.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 80 and House File 81.

JOHN N. CALHOUN, *Chairman Senate Committee.*
DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House File 80 and House File 81.

SENATE FILES 45 AND 46 WITHDRAWN

Senator Berg was granted unanimous consent to withdraw Senate File 45 and Senate File 46 from further consideration by the Senate.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 1 and Senate File 41.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Joint Resolution 1 and Senate File 41.

BILLS SENT TO THE GOVERNOR

Senator Calhoun from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 15th day of February, 1935, sent to the Governor for his approval Senate File 41 and Senate Joint Resolution 1.

JOHN N. CALHOUN, *Chairman.*

Passed on file.

THIRD READING OF BILLS

Senate File 79, a bill for an act to amend section forty-two hundred thirty-nine (4239), Code, 1931, relating to the payment of claims against school districts, was taken up for further consideration.

Senator Baldwin offered the following amendment and moved its adoption:

Amend Senate File 79 in section one (1), line 7, after the comma following the word "postage" insert the word "printing" followed by a comma.

The motion prevailed and the amendment was adopted.

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

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 40:

Anderson	Billingsley	Doze	Goetsch
Aschenbrenner	Byers	Driscoll	Grunewald
Baldwin	Calhoun	Elthon	Hopkins
Beardsley	Corwin	Fisch	Hush
Berg	Dewey	Geske	Husted

Irwin
Kimberly
Knudson
Malone
Mason
McArthur

Meyer
Miller
Millhone
Moore
Mullaney
Nelson

Parker
Patterson
Pendray
Reese
Shaw

Stevens of
Decatur
Stevens of
Wapello
Wilson

Nays, 1:

Shangle

Absent or not voting, 9:

Bell of Crawford
Bell of
Des Moines

Chrystal
Donohue
Harrington

Roelofs
Schmidt

Stanley
Valentine

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

Senate File 82, a bill for an act to repeal sections forty-two hundred twenty-three-a two (4223-a2) and forty-two hundred twenty-three-b one (4223-b1), Code, 1931, as amended by chapter fifty-three (53), acts Forty-fifth General Assembly, and enact substitutes therefor; to repeal sections forty-two hundred sixteen-c twenty-eight (4216-c28) and forty-two hundred twenty-two (4222), Code, 1931, and enact substitutes therefor; to amend sections forty-two hundred sixteen-c seven (4216-c7), forty-two hundred sixteen-c nine (4216-c9), forty-two hundred sixteen-c ten (4216-c10), and forty-two hundred sixteen-c twenty-four (4216-c24), Code, 1931; and to amend sections thirteen (13) and fourteen (14), chapter fifty-three (53), acts Forty-fifth General Assembly, all relating to the election or appointment, qualification, and tenure of school officers, was taken up for further consideration.

Senator Shangle offered the following amendment and moved its adoption:

Amend Senate File 82 in section one (1), line 14, by striking the word "appointed" and substituting in lieu thereof the word "elected."

The motion to amend was lost.

Senator Elthon offered the following amendment and moved its adoption:

Amend Senate File 82 in section two (2), line 31, by striking the word "residue" and inserting in lieu thereof "remaining part."

The chair called for a division of the vote, and the motion to amend was lost.

Senator Elthon offered the following amendment and moved its adoption:

Amend Senate File 82, section one (1), by striking in line 13 the word "residue" and inserting in lieu thereof "remaining part."

Further amend section one (1) by inserting after the word "hold" in line 12, the word "office."

Senator Elthon asked unanimous consent to withdraw the first half of the amendment just presented. Objections were raised.

Senator Elthon moved that the amendment just made be amended by striking the first half thereof and amend the last half by inserting the word "such" before the last word "office."

The motion to amend the amendment prevailed.

The amendment of Senator Elthon, as amended, was adopted.

Senator Millhone moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 44:

Anderson	Dewey	Irwin	Parker
Aschenbrenner	Donohue	Kimberly	Patterson
Baldwin	Doze	Knudson	Pendray
Beardsley	Driscoll	Malone	Reese
Bell of	Elthon	Mason	Shangle
Des Moines	Fisch	McArthur	Shaw
Berg	Geske	Meyer	Stevens of
Billingsley	Goetsch	Miller	Decatur
Byers	Grunewald	Millhone	Stevens of
Calhoun	Hopkins	Moore	Wapello
Chrystal	Hush	Mullaney	Wilson
Corwin	Husted	Nelson	

Nays, none.

Absent or not voting, 6:

Bell of Crawford	Roelofs	Stanley	Valentine
Harrington	Schmidt		

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

Senator Millhone moved that the vote by which Senate File 82 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File 65, a bill for an act to authorize issuance and sale of primary road refunding bonds.

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

House Concurrent Resolution 10 relative to adjournment on Friday, February 22nd, to March 4th, at 1:30 p. m.

VIRGIL LEKIN, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 10

Be It Resolved by the House, the Senate concurring: That when adjournment is had on Friday, February 22nd, it be to reconvene on Monday, March 4th, at 1:30 p. m.

Senator Patterson was granted unanimous consent that the rules be suspended and House Concurrent Resolution 10 be considered.

The concurrent resolution was read for information.

Senator Stevens of Wapello moved that action on House Concurrent Resolution 10 be temporarily deferred.

Senator Patterson was granted unanimous consent to withdraw his request for the consideration of House Concurrent Resolution 10.

By unanimous consent, Senator Stevens of Wapello withdrew his motion.

HOUSE AMENDMENTS CONSIDERED

Senator Byers was granted unanimous consent to suspend the rules and call up for consideration Senate File 65, amended by the House, and moved that the Senate concur in the following amendment:

Amend the title by inserting after the word "such" in line 13 the word "funds."

The question was, Shall the Senate concur?

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

Ayes, 41:

Anderson	Berg	Dewey	Geske
Aschenbrenner	Billingsley	Doze	Goetsch
Beardsley	Byers	Driscoll	Grunewald
Bell of	Calhoun	Elthon	Harrington
Des Moines	Corwin	Fisch	Hopkins

Hush	McArthur	Nelson	Shaw
Irwin	Meyer	Parker	Stevens of
Kimberly	Miller	Patterson	Decatur
Knudson	Millhone	Pendray	Stevens of
Malone	Moore	Reese	Wapello
Mason	Mullaney	Shangle	Wilson

Nays, none.

Absent or not voting, 9:

Baldwin	Donohue	Roelofs	Stanley
Bell of Crawford	Husted	Schmidt	Valentine
Chrystal			

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

On motion of Senator Byers Senate File 65 was given its final reading and placed upon its passage.

The question was, Shall the bill pass?

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

Ayes, 37:

Aschenbrenner	Driscoll	Malone	Pendray
Beardsley	Fisch	Mason	Reese
Berg	Geske	McArthur	Shangle
Billingsley	Grunewald	Miller	Shaw
Byers	Harrington	Millhone	Stevens of
Calhoun	Hopkins	Moore	Decatur
Chrystal	Husted	Mullaney	Stevens of
Corwin	Irwin	Nelson	Wapello
Dewey	Kimberly	Parker	Wilson
Doze	Knudson	Patterson	

Nays, 4:

Anderson	Elthon	Goetsch	Meyer
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Absent or not voting, 9:

Baldwin	Bell of	Hush	Stanley
Bell of Crawford	Des Moines	Roelofs	Valentine
	Donohue	Schmidt	

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

Senator Byers moved that the vote by which Senate File 65 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE 55 DEFERRED

Senator Malone was granted unanimous consent that action be deferred on Senate File 55 but that it retain its place on the calendar.

Senator Knudson was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 91, by Senators Knudson and Stanley, a bill for an act to repeal sections fifty-four hundred eighty-three (5483), fifty-four hundred eighty-six (5486), fifty-four hundred eighty-eight (5488), fifty-four hundred eighty-nine (5489), fifty-four hundred ninety (5490); to amend sections fifty-one hundred thirty-three (5133), sixty-two hundred eighty-eight (6288), seventy hundred forty-five (7045), seventy hundred sixty-four (7064); and to repeal sections fifty-four hundred eighty-two (5482), fifty-four hundred eighty-four (5484), fifty-four hundred eighty-five (5485), fifty-four hundred eighty-seven (5487), fifty-four hundred ninety-six (5496), sixty-three hundred two (6302), ten thousand two hundred twenty-five (10225), and to enact substitutes for said repealed sections; all of said sections relating to land surveys and to perpetuating the records thereof, and all of said sections being of the Code, 1931.

The bill was read first and second times and referred to the committee on judiciary No. 1.

Senate File 92, by Senator McArthur, a bill for an act to provide a penalty for stealing from a motor vehicle and to establish evidence therefor.

The bill was read first and second times and referred to the committee on judiciary No. 2.

The journal of February 14, 1935, was approved.

The following concurrent resolution was filed:

SENATE CONCURRENT RESOLUTION 10

Be It Resolved by the Senate, the House concurring: That when adjournment is had on Friday, February 22d, it be to reconvene on Monday, March 4th, at 1:30 p. m.

G. W. PATTERSON.

AMENDMENTS FILED

Amend Senate File 43, section two (2), line 23, by inserting after the comma following the word "business" the following: "save and except line operated lumber yards, coal yards and grain elevators."

Strike out section seventeen (17) as written and insert in lieu thereof the following: "Sec. 17. Nothing in this act is meant or shall be so construed as to levy a tax upon line operated lumber yards, coal yards or grain elevators, in excess of one." L. T. SHANGLE.

Amend Senate File 76 by adding to subdivision five (5) of section one (1) the following:

"The state motor vehicle department shall prescribe the shape, size, color and inscription of a sticker to be placed by any such city or town so operating a motor vehicle testing station hereunder, upon the windshield of any motor vehicle so passing the tests herein provided. Said city or town shall insert the name thereof and the date said sticker was issued.

"Said stickers shall be sold by the state to any such city or town so establishing a motor vehicle testing station, under the provisions hereof, at reasonable cost.

"Said sticker when so prepared, issued and placed shall exempt the owner and driver of the automobile so passing said test from any other tests hereunder at any place in the state of Iowa for the period for which said sticker was issued." JOHN N. CALHOUN.

Senator Shangle moved that the Senate adjourn until 10:00 a. m. Monday.

As a substitute motion, Senator Beardsley moved that the Senate adjourn until 1:30 p. m. Monday.

The substitution was made. The substitute motion prevailed and the Senate adjourned until 1:30 p. m. Monday, February 18, 1935.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 18, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. D. E. Buser, of the Four Square Gospel church in Des Moines, Iowa.

PETITIONS AND MEMORIALS

The following petitions favoring the basic science bill were received and filed, to be referred to the committee on public health:

Senator Shaw, from residents of Buena Vista county; Senator Driscoll, from residents of Lee county.

The following petitions opposing the basic science bill were received and filed, to be referred to the committee on public health:

Senator Stanley, from residents of Taylor county; Senator Wilson, from residents of Polk county.

The following petitions opposing the tax on the so-called "chain stores" doing business in the state were received and referred to the committee on cities and towns:

Senator Fisch, from residents of Ida county; Senator Valentine, from residents of Appanoose county.

The following petitions favoring Senate File 49 and Senate File 50 were received and referred to the committee on public health:

Senator Anderson, from the 8th District State Nurses Association; Senator Schmidt, from Finley Hospital School of Nursery Alumnae Association; Senator Baldwin, from Dubuque Business and Professional Women's club.

The following petitions were received and filed to be referred to the designated committees:

Senator Irwin, from residents of Clinton county, favoring House File 101. Committee on ways and means.

Senator Mullaney, from residents of Fayette county, favoring House File 37. Committee on state planning.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Moore for the day, on request of Senator Wilson; Senator Harrington for the day, on request of Senator Valentine.

INTRODUCTION OF BILLS

Senate File 93, by Senator Shangle, a bill for an act to amend section five thousand five hundred forty-three (5543), Code of 1931, relating to meetings of boards of township trustees.

The bill was read first and second times and referred to the committee on county and township affairs.

Senate File 94, by Senator Harrington, a bill for an act to declare criminal certain acts committed in connection with motor vehicles and to fix the punishment for the commission of said acts.

The bill was read first and second times and referred to the committee on motor vehicles.

Senate File 95, by Senator Billingsley (by request), a bill for an act to provide for a naval militia to be known as the Iowa naval militia and to provide for the government and discipline thereof.

The bill was read first and second times and referred to the committee on military affairs.

Senate File 96, by Senator Reese, a bill for an act to repeal chapter one hundred seventeen (117), Code, 1931, relating to the practice of podiatry and to enact a substitute therefor.

The bill was read first and second times and referred to the committee on public health.

HOUSE CONCURRENT RESOLUTION 10 CONSIDERED

Senator Patterson called up for consideration House Concurrent Resolution 10, as found on page 266 of the Senate Journal.

Senator Malone offered the following amendment and moved its adoption:

Amend House Concurrent Resolution 10 by striking the words "Friday, February 22nd," in line 2 thereof and inserting in lieu thereof the following: "Thursday, February 28th, at 12:00 noon."

Senator Malone was granted unanimous consent to amend the amendment by striking the words "at 12:00 noon."

Senator Malone was granted unanimous consent to amend the amendment by striking "Thursday, February 28th," and inserting in lieu thereof "Wednesday, February 27th."

Senator Valentine moved to substitute for all pending amendments the following:

That the words and figures, "Friday, February 22" be stricken and there be inserted in lieu thereof "Wednesday, February 27, it be at noon, and."

Senator Malone accepted the amendment of Senator Valentine as a substitute for those proposed by himself.

The question was, Shall the substituted amendment be adopted?

Roll call was requested.

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

Ayes, 20:

Doze	Irwin	Mullaney	Stevens of
Driscoll	Knudson	Pendray	Decatur
Ethon	Malone	Reese	Stevens of
Hopkins	Mason	Roelofs	Wapello
Hush	McArthur	Schmidt	Valentine
Husted	Meyer		

Nays, 27:

Anderson	Berg	Fisch	Nelson
Aschenbrenner	Billingsley	Geske	Parker
Baldwin	Byers	Goetsch	Patterson
Beardsley	Calhoun	Grunewald	Shangle
Bell of Crawford	Corwin	Kimberly	Shaw
Bell of	Dewey	Miller	Stanley
Des Moines	Donohue	Millhone	Wilson

Absent or not voting, 3:

Chrystal	Harrington	Moore
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The substituted amendment was lost.

Senator Patterson moved that House Concurrent Resolution 10 be adopted.

The question was, Shall the concurrent resolution be adopted?

Roll call was requested.

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

Ayes, 29:

Anderson	Byers	Grunewald	Nelson
Aschenbrenner	Calhoun	Kimberly	Parker
Baldwin	Corwin	Knudson	Patterson
Beardsley	Dewey	Mason	Shangle
Bell of Crawford	Donohue	McArthur	Shaw
Bell of	Fisch	Miller	Stanley
Des Moines	Geske	Millhone	Wilson
Berg	Goetsch		

Nays, 19:

Billingsley	Hush	Mullaney	Stevens of
Chrystal	Husted	Pendray	Decatur
Doze	Irwin	Reese	Stevens of
Driscoll	Malone	Roelofs	Wapello
Elthon	Meyer	Schmidt	Valentine
Hopkins			

Absent or not voting, 2:

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

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Concurrent Resolution 6, providing for appointment of an investigating committee to investigate all transactions, sale, issuance and purchase of all warrants since January 1, 1925.

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

House File 39, a bill for an act legalizing the corporate acts and proceedings of the Hawkeye Realty Company of Ames, Iowa.

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

House File 52, a bill for an act legalizing the corporate acts and proceedings of the Ringsted Telephone Company, Ringsted, Iowa.

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

Senate File 22, a bill for an act authorizing cities acting under special charter to levy a tax for an emergency fund.

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

Senate File 32, a bill for an act making an emergency appropriation for worthy and deserving blind students of the state.

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

Senate File 59, a bill for an act relating to contracts for the sale of real estate, where the vendor retains legal title and prescribing the proceedings therefor.

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

Senate File 67, a bill for an act relating to cigarette and oleomargarine tax stamps.

VIRGIL LEKIN, *Chief Clerk.*

SENATE FILE 59 MADE SPECIAL ORDER

Senator Malone was granted unanimous consent to have Senate File 59 made a special order of business at 10:00 a. m. Tuesday.

SENATE FILE 73 WITHDRAWN

Senator Doze was granted unanimous consent to withdraw Senate File 73 from further consideration by the Senate.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun 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 65.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File 65.

THIRD READING OF BILLS

On motion of Senator Malone, Senate File 55, a bill for an act to amend chapter forty-nine (49) of the Code, 1931, as to require a contestant for a seat in the general assembly to file a cost bond as a condition precedent to maintaining the contest, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was offered:

Amend Senate File 59 by striking out all that portion of section one (1) following the word "which" in line 6 thereof and substituting in lieu thereof the following:

"with security to be approved by the Secretary of State, conditioned to pay all costs in case the election be confirmed or the statement of contest be dismissed or the prosecution fail.

"Said costs shall also include a reasonable attorney fee for the prevailing party.

"The surety in said bond must be either a surety company authorized to transact business within this state, or an individual or individuals with the same qualifications as is required of sureties on other bonds authorized by law in section twelve thousand seven hundred fifty-four (12754), of the 1931 Code of Iowa."

Senator Shangle was granted unanimous consent to amend the committee amendment in line 1, by striking the word "which" and inserting in lieu thereof "bond."

Senator Shangle was granted unanimous consent to amend the committee amendment, by striking in line 3 the word 'security' and inserting in lieu thereof the word "sureties."

Senator Shangle was granted unanimous consent to amend the committee amendment, by striking all the second paragraph which reads: "Said costs shall also include a reasonable attorney fee for the prevailing party."

Senator Donohue moved to amend the committee amendment by inserting at the close of line 1 following the word "bond" the words "in the amount of one thousand (1,000) dollars."

The motion prevailed and the amendment to the committee amendment was adopted.

The committee amendment as amended was adopted.

The bill was read for information.

Senator Mullaney moved the previous question, which motion prevailed.

Senator Malone moved that the reading just had be considered the third reading and the bill, as amended, be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 21:

Anderson	Doze	Miller	Stevens of
Baldwin	Grunewald	Mullaney	Decatur
Bell of Crawford	Hush	Reese	Stevens of
Chrystal	Mason	Roelofs	Wapello
Dewey	McArthur	Shangle	Valentine
Donohue	Meyer		Wilson

Nays, 25:

Aschenbrenner	Calhoun	Hopkins	Nelson
Beardsley	Corwin	Husted	Parker
Bell of	Driscoll	Irwin	Patterson
Des Moines	Elthon	Kimberly	Pendray
Berg	Fisch	Knudson	Shaw
Billingsley	Gecke	Malone	Stanley
Byers	Goetsch		

Absent or not voting, 4:

Harrington	Millhone	Moore	Schmidt
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Rule 8 was invoked.

The bill as amended not having received a constitutional majority failed to pass the Senate.

Senator Beardsley moved that the vote by which Senate File 55 failed to pass the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

HOUSE MESSAGES CONSIDERED

House File 39, a bill for an act to legalize the corporate acts and proceedings of the Hawkeye Realty Company, of Ames, Iowa, and to provide for the renewal and extension of the period of corporate existence of said Hawkeye Realty Company, of Ames, Iowa.

The bill was read first and second times and referred to committee on judiciary No. 1.

House File 52, a bill for an act to legalize the corporate acts and proceedings of Ringsted Telephone Company, Ringsted, Iowa, and to provide for the renewal and extension of the period of corporate existence and the adoption of renewal, amended and substituted articles of incorporation of said Ringsted Telephone Company.

The bill was read first and second times and referred to committee on judiciary No. 1.

Senator Fisch was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 97, by Senator Fisch, a bill for an act to amend section forty-two hundred seventy-five (4275), Code, 1931, relating to pupils attending high school outside their home district.

The bill was read first and second times and referred to the committee on public schools.

SENATE CONCURRENT RESOLUTION 10 WITHDRAWN

Senator Patterson received unanimous consent to withdraw Senate Concurrent Resolution 10 from further consideration by the Senate.

REPORT ORDERED PRINTED

Senator Valentine was granted unanimous consent to have printed 5,000 copies of the public welfare recommendations by the interim committee.

COMMITTEE APPOINTED

Under authority of Senate Joint Resolution 1, I hereby appoint Senators Geske, Kimberly, and Bell of Crawford.

N. G. KRASCHEL, *President of the Senate.*

The Journal of February 15, 1935, was corrected and approved.

REPORTS OF COMMITTEES

Senator Shangle submitted the following report:

MR. PRESIDENT: Your committee on elections and contests to which was referred Senate File 85, a bill for an act to prohibit the passing out, posting or distributing of campaign cards, folders, literature, bills or posters pertaining to the candidacy of any candidate for any political office, on the day of any general, primary, city or school election, begs leave to report it has had the same under consideration and recommends that the same do pass.

L. T. SHANGLE, *Chairman.*

Ordered passed on file.

Senator Hush submitted the following report:

MR. PRESIDENT: Your committee on federal coordination to which was referred Senate File 47, a bill for an act to promote the objects of the national housing act by authorizing banks, savings banks, trust companies, insurance companies, and building and loan associations, to make loans pursuant to titles I and II of the national housing act, and by

authorizing banks, savings banks, trust companies, insurance companies, building and loan associations, trustees, guardians, executors, administrators and other fiduciaries, the state of Iowa and its political subdivisions, and institutions and agencies thereof, and all other persons, associations and corporations, subject to the laws of this state, to invest in mortgages insured, and in debentures issued, by the Federal Housing Administrator, and to invest in securities of national mortgage associations, begs leave to report it has had the same under consideration and recommends the same do pass.

HOMER HUSH, *Ranking Member.*

Ordered passed on file.

MOTIONS FILED

MR. PRESIDENT: I move to take from the table the motion to reconsider the vote by which Senate File 55 failed to pass the Senate.

C. E. MALONE.

CLAUDE STANLEY.

MR. PRESIDENT: I move to reconsider the vote by which Senate File 55 failed to pass the Senate.

C. E. MALONE.

CLAUDE STANLEY.

HOUSE AMENDMENTS TO SENATE FILE 59

Amend Senate File 59 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. The Forty-sixth General Assembly hereby declares and determines that the emergency which existed when the emergency laws passed by the Forty-fifth General Assembly were enacted does continue to exist, that such emergency at this time is general throughout the state of Iowa, and that the safety and future welfare of the state as a whole is in danger thereby, the General Assembly acting under the power reserved by the people of the state of Iowa does hereby enact the following:

"Sec. 2. All contracts for the sale of real estate, executed prior to January 1, 1934, wherein the vendor has retained legal title, shall be subject to the provisions herein.

"Sec. 3. In any cause wherein any such real estate contract is sought to be foreclosed or forfeited, the vendee or his heirs or assigns shall be entitled to have his or their rights and equities in said real estate preserved, as herein provided, until March 1, 1937.

"Sec. 4. When any action at law or in equity is commenced upon any such contract, the vendee or his heirs or assigns, may file an application for a continuance of said cause, and upon a hearing thereon, unless good cause to the contrary is shown, the court shall order the said cause continued to March 1, 1937, and shall make further order or orders for possession of said real estate giving preference to the vendee or vendees in possession, determine a fair rental to be paid by the party or parties to be in possession from the time the action was commenced, and the court shall further order the application and distribution of the rents, income,

and profits from said real estate, and make such provision for the preservation of said property as will be just and equitable during the continuance of said cause, which order or orders shall provide that such rents, income, or profits shall be paid to and distributed by the clerk of the district court of the county in which said suit is pending, or any other person agreed upon by the parties to the action, and further provide that in such distribution, taxes, insurance, cost of maintenance and upkeep of said real estate shall be paid in the priority named, and any balance distributed as the court may further direct; provided, however, that the court shall, upon a substantial violation of its said order or orders, or for other good and sufficient cause, set aside said order of continuance and the cause shall proceed to trial by law now provided, the provisions of this act to the contrary notwithstanding.

"Sec. 5. Within not to exceed thirty (30) days after the service of a notice of forfeiture of a real estate contract, the vendee, or his heirs or assigns, may file in the office of the clerk of the district court of the county wherein a part or all of the real estate is situated, a verified petition praying that the said proceedings be abated. The said petition shall include a true copy of the contract sought to be forfeited, or reason for not filing same, together with the notice of forfeiture. Thereupon, the court, or any judge thereof, shall order that the forfeiture proceedings be suspended until hearing is had upon the said application, and no forfeiture shall ensue until such hearing is had. The court, in said order, shall fix the time and place of hearing upon the application and prescribe the manner and time of service of notice upon the adverse party or parties. Upon the hearing, unless good cause to the contrary is shown, the court shall order that the forfeiture proceedings continue to stand suspended until March 1, 1937.

"Sec. 6. It is further provided that all provisions contained in section four (4) of this act as to possession of the real estate, the rents thereof, and the distribution of income therefrom, and all the provisions regarding the violations of orders of the court, and the power of the court to terminate the period of suspension, shall be applicable to the procedure herein. The provisions of this act shall not be construed as to suspend, beyond March 1, 1937, the forfeiture of any contract which, but for the operation of this act, would have been completed.

"Sec. 7. The court in ruling upon any orders made under this act shall take into consideration the initial payment made by the vendee, or his heirs or assigns, subsequent payments made upon the said contract, the efforts of the said vendee or his heirs or assigns to comply with the said contract and any other facts and circumstances showing good faith efforts on the part of the said vendee or his heirs or assigns to carry out the provisions of the said contract.

"Sec. 8. If any section, subsection, clause, sentence or phrase of this act is for any reason held to be unconstitutional and/or invalid, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act and each section, subsection, clause, sentence, or phrase hereof, irrespective of whether any one or more of the sections, subsections, clauses, sentences, or phrases be declared unconstitutional.

"Sec. 9. All acts or parts of acts in conflict with this act are suspended while this act is in effect.

"Sec. 10. From and after the first day of March, 1937, this act shall be of no force and effect.

"Sec. 11. This act, being deemed of immediate importance, shall be in full force and effect from and after its publication in the Atlantic News-Telegraph, a newspaper published at Atlantic, Iowa, and the Mason City Globe-Gazette, a newspaper published at Mason City, Iowa."

Further amend said bill by striking the title and inserting in lieu thereof the following: "An emergency act relating to contracts for the sale of real estate where the vendor retains legal title; providing for the continuance of actions brought upon said contracts; providing for the suspension of forfeiture proceedings; providing for the preservation of the rights and equities of the vendee or his heirs or assigns under said contracts; providing for possession of said real estate, and to the rents, income and profits therefrom and providing for the distribution thereof; and providing for the suspension of all acts or parts of acts in conflict with this act while same is in effect."

Amend the preamble, paragraph 6, line 1, by striking the word "Forty-fifth" and inserting in lieu thereof "Forty-sixth."

On motion of Senator Stevens of Wapello, the Senate adjourned until 10:00 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 19, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Rev. J. C. Harris, minister of the Christian church of Bedford, Iowa, offered prayer.

PETITIONS AND MEMORIALS

The following petitions favoring the basic science bill were received and filed, to be referred to the committee on public health:

Senator Driscoll, from residents of Lee county; Senator Wilson, from residents of Polk county; Senator Hopkins, from residents of Audubon county.

The following petitions opposing the basic science bill were received and filed, to be referred to the committee on public health:

Senator Grunewald, from residents of Linn, Benton, and Tama counties; Senator Driscoll, from residents of Lee county; Senator Millhone, from residents of Page county; Senator Harrington, from residents of Woodbury county.

The following petitions favoring Senate File 49 and Senate File 50 were received and filed, to be referred to the committee on public health:

Senator Berg, from residents of Black Hawk county; Senator Schmidt, from residents of Johnson county; Senator Baldwin, from alumnae of St. Joseph's Mercy Hospital, Dubuque; Senator Baldwin, from third district of Iowa state association of registered nurses; Senator Harrington, from residents of Woodbury county.

The following petitions favoring Senate File 36 were received and referred to the committee on railroads and aeronautics:

Senator Hopkins, from residents of Guthrie county; Senator Millhone, from residents of Fremont and Page counties.

The following petitions opposing the tax on the so-called "chain stores" doing business in the state were received and filed to be referred to the committee on cities and towns:

Senator Reese, from residents of Marshall county; Senator Harrington, from residents of Woodbury county.

The following petition favoring the tax on the so-called "chain stores" doing business in the state was received and referred to the committee on cities and towns:

Senator Driscoll, from residents of Lee county.

INTRODUCTION OF BILLS

Senate File 98, by Senator Shaw, a bill for an act to amend section forty-nine hundred twenty (4920), Code, 1931, relating to license fees on motor vehicle trailers.

The bill was read first and second times and referred to the committee on motor vehicles.

Senate File 99, by Senator Patterson, a bill for an act to amend section forty-one (41), chapter twenty-four (24), of the acts of the Forty-fifth General Assembly, Extraordinary Session, relating to the purchase, transportation and possession of liquor for personal use.

The bill was read first and second times and referred to the committee on judiciary No. 2.

Senate File 100, by Senator Schmidt (Mercer), a bill for an act to make an appropriation to the city of Iowa City, Iowa, to compensate the city for expenses incurred, or to be incurred, in improving and extending its sewage system and constructing and equipping a sewage disposal plant, in proportion to the use of such system and plant to serve state-owned property.

The bill was read first and second times and referred to the committee on appropriations.

Senate File 101, by committee on pharmacy, a bill for an act to provide penalties for the violation of certain provisions of the law which apply or relate to or affect the practice of pharmacy, and to this end to amend section twenty-five hundred twenty-two (2522), Code, 1931, as amended by chapter thirty (30), section

seven (7), acts of the Forty-fifth General Assembly, Extraordinary Session, and to repeal section twenty-five hundred eighty-three-d one (2583-d1) of said Code.

The bill was read first and second times and placed on calendar.

Senate File 102, by committee on pharmacy, a bill for an act to amend section twenty-five hundred seventy-nine (2579), Code, 1931, relating to persons not engaged in the practice of pharmacy and to clarify the classes to whom said section shall be applicable.

The bill was read first and second times and placed on calendar.

Senate File 103, by committee on pharmacy, a bill for an act to fix and determine the conditions and qualifications under which persons may be licensed to practice pharmacy and to this end, in part, to amend section twenty-five hundred eighty-one (2581), and section twenty-five hundred eighty-three (2583), Code, 1931, relating to said subject matter.

The bill was read first and second times and placed on calendar.

SENATE FILE 30 INDEFINITELY POSTPONED

Senate File 30, a bill for an act to amend section six thousand nine hundred fifty-three (6953), Code, 1931, relating to taxable property, with report of committee recommending indefinite postponement, was taken up and considered.

Senator Kimberly moved that the committee report be adopted.

As a substitute motion, Senator Calhoun moved that the committee report be received.

The question was, Shall the substitution be made?

Roll call was requested.

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

Ayes, 11:

Calhoun	Hopkins	Pendray	Shaw
Corwin	Miller	Schmidt	Stanley
Elthon	Millhone	Shangle	

Nays, 32:

Aschenbrenner	Berg	Doze	Goetsch
Bell of Crawford	Billingsley	Driscoll	Grunewald
Bell of	Byers	Fisch	Hush
Des Moines	Dewey	Geske	Husted

Irwin	McArthur	Parker	Stevens of
Kimberly	Meyer	Patterson	Wapello
Knudson	Moore	Reese	Valentine
Malone	Mullaney	Stevens of	Wilson
Mason	Nelson	Decatur	

Absent or not voting, 7:

Anderson	Beardsley	Donohue	Roelofs
Baldwin	Chrystal	Harrington	

The motion to substitute was lost.

The committee report was adopted.

COPIES OF SENATE FILES 57 AND 59 ORDERED

Senator Malone was granted unanimous consent to have 1,200 copies of Senate File 57 printed; also 1,200 copies of Senate File 59, after its final passage by the legislature, both bills to be printed in pamphlet form.

HOUSE AMENDMENTS CONSIDERED

Senator Malone called up for consideration Senate File 59, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 59 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. The Forty-sixth General Assembly hereby declares and determines that the emergency which existed when the emergency laws passed by the Forty-fifth General Assembly were enacted does continue to exist, that such emergency at this time is general throughout the state of Iowa, and that the safety and future welfare of the state as a whole is in danger thereby, the General Assembly acting under the power reserved by the people of the state of Iowa does hereby enact the following:

"Sec. 2. All contracts for the sale of real estate, executed prior to January 1, 1934, wherein the vendor has retained legal title, shall be subject to the provisions herein.

"Sec. 3. In any cause wherein any such real estate contract is sought to be foreclosed or forfeited, the vendee or his heirs or assigns shall be entitled to have his or their rights and equities in said real estate preserved, as herein provided, until March 1, 1937.

"Sec. 4. When any action at law or in equity is commenced upon any such contract, the vendee or his heirs or assigns, may file an application for a continuance of said cause, and upon a hearing thereon, unless good cause to the contrary is shown, the court shall order the said cause continued to March 1, 1937, and shall make further order or orders for possession of said real estate giving preference to the vendee or vendees in possession, determine a fair rental to be paid by the party or parties

to be in possession from the time the action was commenced, and the court shall further order the application and distribution of the rents, income, and profits from said real estate, and make such provision for the preservation of said property as will be just and equitable during the continuance of said cause, which order or orders shall provide that such rents, income, or profits shall be paid to and distributed by the clerk of the district court of the county in which said suit is pending, or any other person agreed upon by the parties to the action, and further provide that in such distribution, taxes, insurance, cost of maintenance and upkeep of said real estate shall be paid in the priority named, and any balance distributed as the court may further direct; provided, however, that the court shall, upon a substantial violation of its said order or orders, or for other good and sufficient cause, set aside said order of continuance and the cause shall proceed to trial by law now provided, the provisions of this act to the contrary notwithstanding.

"Sec. 5. Within not to exceed thirty (30) days after the service of a notice of forfeiture of a real estate contract, the vendee, or his heirs or assigns, may file in the office of the clerk of the district court of the county wherein a part or all of the real estate is situated, a verified petition praying that the said proceedings be abated. The said petition shall include a true copy of the contract sought to be forfeited, or reason for not filing same, together with the notice of forfeiture. Thereupon, the court, or any judge thereof, shall order that the forfeiture proceedings be suspended until hearing is had upon the said application, and no forfeiture shall ensue until such hearing is had. The court, in said order, shall fix the time and place of hearing upon the application and prescribe the manner and time of service of notice upon the adverse party or parties. Upon the hearing, unless good cause to the contrary is shown, the court shall order that the forfeiture proceedings continue to stand suspended until March 1, 1937.

"Sec. 6. It is further provided that all provisions contained in section four (4) of this act as to possession of the real estate, the rents thereof, and the distribution of income therefrom, and all the provisions regarding the violations of orders of the court, and the power of the court to terminate the period of suspension, shall be applicable to the procedure herein. The provisions of this act shall not be construed as to suspend, beyond March 1, 1937, the forfeiture of any contract which, but for the operation of this act, would have been completed.

"Sec. 7. The court in ruling upon any orders made under this act shall take into consideration the initial payment made by the vendee, or his heirs or assigns, subsequent payments made upon the said contract, the efforts of the said vendee or his heirs or assigns to comply with the said contract and any other facts and circumstances showing good faith efforts on the part of the said vendee or his heirs or assigns to carry out the provisions of the said contract.

"Sec. 8. If any section, subsection, clause, sentence or phrase of this act is for any reason held to be unconstitutional and/or invalid, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act and each section, subsection, clause, sentence, or phrase hereof,

irrespective of whether any one or more of the sections, subsections, clauses, sentences, or phrases be declared unconstitutional.

"Sec. 9. All acts or parts of acts in conflict with this act are suspended while this act is in effect.

"Sec. 10. From and after the first day of March, 1937, this act shall be of no force and effect.

"Sec. 11. This act, being deemed of immediate importance, shall be in full force and effect from and after its publication in the Atlantic News-Telegraph, a newspaper published at Atlantic, Iowa, and the Mason City Globe-Gazette, a newspaper published at Mason City, Iowa."

Further amend said bill by striking the title and inserting in lieu thereof the following: "An emergency act relating to contracts for the sale of real estate where the vendor retains legal title; providing for the continuance of actions brought upon said contracts; providing for the suspension of forfeiture proceedings; providing for the preservation of the rights and equities of the vendee or his heirs or assigns under said contracts; providing for possession of said real estate, and to the rents, income and profits therefrom and providing for the distribution thereof; and providing for the suspension of all acts or parts of acts in conflict with this act while same is in effect."

Amend the preamble, paragraph 6, line 1, by striking the word "Forty-fifth" and inserting in lieu thereof "Forty-sixth."

The House amendments were read for information.

Senator Donohue offered the following amendment and moved its adoption:

Amend House amendment to Senate File 59 as follows: By striking the words "orders made" in line 1 of section seven (7), and substituting in lieu thereof the following: "applications or petitions filed."

The motion prevailed and the amendment to the House amendment was adopted.

Senator Shaw moved the previous question, which motion prevailed.

The question was, Shall the Senate concur in the House amendments as amended?

On the question, Shall the Senate concur in the House amendments as amended? the vote was:

Ayes, 43:

Anderson	Calhoun	Fisch	Irwin
Aschenbrenner	Chrystal	Geske	Kimberly
Baldwin	Corwin	Goetsch	Knudson
Beardsley	Dewey	Grunewald	Malone
Bell of Crawford	Donohue	Hopkins	Mason
Berg	Doze	Hush	McArthur
Billingsley	Driscoll	Husted	Meyer

Miller	Parker	Schmidt	Stevens of
Millhone	Patterson	Shangle	Decatur
Mullaney	Pendray	Shaw	Valentine
Nelson	Roelofs	Stanley	Wilson

Nays, none.

Absent or not voting, 7:

Bell of	Elthon	Moore	Stevens of
Des Moines	Harrington	Reese	Wapello
Byers			

The House amendments as amended having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Malone moved that the bill as amended be given its final reading and be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 43:

Anderson	Doze	Malone	Roelofs
Aschenbrenner	Driscoll	Mason	Schmidt
Beardsley	Fisch	McArthur	Shangle
Bell of Crawford	Goeske	Meyer	Shaw
Bell of	Goetsch	Miller	Stanley
Des Moines	Grunewald	Millhone	Stevens of
Berg	Hopkins	Mullaney	Decatur
Billingsley	Hush	Nelson	Stevens of
Calhoun	Husted	Parker	Wapello
Corwin	Irwin	Patterson	Valentine
Dewey	Kimberly	Pendray	Wilson
Donohue	Knudson		

Nays, none.

Absent or not voting, 7:

Baldwin	Chrystal	Harrington	Reese
Byers	Elthon	Moore	

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

Senator Malone moved that the vote by which Senate File 59 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Malone was granted unanimous consent that the rules be suspended and Senate File 59 be messaged to the House immediately.

SENATE FILE 47 MADE SPECIAL ORDER

Senator Valentine was granted unanimous consent to have Senate File 47 made a special order of business for 10:00 a. m. Wednesday.

BILL SENT TO THE GOVERNOR

Senator Calhoun from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully report they have on this 19th day of February, 1935, sent to the Governor for his approval Senate File 65. JOHN N. CALHOUN, *Chairman.*

Passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun from the joint committee on enrolled bills submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully report that it has examined and finds correctly enrolled Senate Files 67, 32 and 22.

JOHN N. CALHOUN, *Chairman Senate Committee.*
DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 67, 32 and 22.

BILLS SENT TO THE GOVERNOR

Senator Calhoun from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully report they have on this 19th day of February, 1935, sent to the Governor for his approval Senate Files 67, 32 and 22.

JOHN N. CALHOUN, *Chairman.*

Passed on file.

THIRD READING OF BILLS

Senate File 85, a bill for an act to prohibit the passing out, posting or distributing of campaign cards, folders, literature, bills

or posters pertaining to the candidacy of any candidate for any political office, on the day of any general, primary, city or school election, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Elthon offered the following amendment and moved its adoption:

Amend Senate File 85 in section one (1), line 12, by adding after line 12 the following words: "this act shall not affect the distribution of newspapers distributed in their regular channels on the day of their regular distribution."

Senator Elthon was granted unanimous consent to change the last word of the amendment from "distribution" to "issuance."

The amendment, as amended, was adopted.

Senator Shangle offered the following amendment:

Amend Senate File 85 by inserting in section one (1) after the word "distribute" in line 6, the words "for hire."

Senator Shangle was granted unanimous consent to withdraw his amendment.

Senator Anderson offered the following amendment and moved its adoption:

Amend Senate File 85, section one (1), by inserting in line 3, after the word "candidate" where it first appears, the words "or party."

The motion prevailed and the amendment was adopted.

Senator Calhoun offered the following amendment and moved its adoption:

Amend Senate File 85 by inserting at the end of line 4 of section one (1) the following: "to speak over the radio,".

SENATE FILE 85 MADE SPECIAL ORDER

Senator Dewey moved that action on Senate File 85 be deferred at this time and that it be made a special order of business for Thursday at 10:00 a. m., which motion prevailed.

COMMITTEE APPOINTED

Under authority of House Concurrent Resolution 6, I hereby appoint Senators Irwin, Billingsley and Driscoll.

N. G. KRASCHEL, *President of the Senate.*

Senator Baldwin was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate Joint Resolution 7, by committee on judiciary No. 1, a bill for an act agreeing to a proposed amendment to article three (III) of the constitution of the state of Iowa by repealing section thirty-three (33) thereof relating to the state census.

The bill was read first and second times and placed on the calendar.

Senate File 104, by Senator Baldwin, a bill for an act to amend section eighty-nine hundred and twenty-seven (8927) of the Code, 1931, relating to investments of insurance companies organized under chapter four hundred and four (404) of the Code.

The bill was read first and second times and referred to the committee on insurance.

Senate File 105, by Senator Baldwin, a bill for an act to amend section eighty-nine hundred thirty-seven (8937) of the Code, 1931, relating to reserve fund requirements in estimating profits of insurance companies organized under chapter four hundred four (404) of the Code.

The bill was read first and second times and referred to the committee on insurance.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

Senate File 59, a bill for an act relating to contracts for sale of real estate where the vendor retains legal title.

VIRGIL LEKIN, *Chief Clerk.*

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had signed Senate File 41 and Senate Joint Resolution 1 on February 15, 1935.

ASSIGNMENT OF PRESS SEAT

The Secretary of the Senate assigned seat number 66 in the press gallery to H. R. Gross, news editor, representing station WHO.

The Journal of February 18, 1935, was approved.

REPORTS OF COMMITTEES

Senator Malone submitted the following report:

MR. PRESIDENT: Your committee on emergency legislation to which was referred House File 152, a bill for an act to amend Senate File 34, section two (2), acts of the Forty-sixth General Assembly, and approved by the Governor on the 4th day of February, 1935, and now on file in the office of the Secretary of State, relating to an emergency act relative to the foreclosure of real estate mortgages and deeds of trust or notes secured thereby, begs leave to report it has had the same under consideration and recommends the same do pass.

C. E. MALONE, *Chairman.*

Ordered passed on file.

Senator Byers submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File 18, a bill for an act to amend section twelve thousand two hundred eighty-two (12282), Code, 1931, relating to appeal or writ of error in an action of forcible entry or detainer of real property before a justice of the peace and to permit a stay of proceedings upon filing bond, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File 56, a bill for an act prohibiting contracts for the payment of money to be payable in any particular form or kind of money, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File 64, a bill for an act to amend section thirteen thousand two hundred three (13203), Code, 1931, relating to the forfeiture of property used in connection with a game of chance, lottery scheme or gift enterprise, and providing for the forfeiture of any gambling device

used in connection with any game of chance, etc., begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File 68, a bill for an act to amend section eleven thousand seven hundred thirty-two (11732), Code of 1931, relating to plan of division of land at execution sale, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File 19, a bill for an act to amend section eleven thousand seven hundred sixty (11760), Code, 1931, providing for the addition of radio receiving set to general exemptions, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File 20, a bill for an act to legalize certain tax deeds issued without compliance with the requirements of section seventy-two hundred eighty-three (7283) of the Code, 1931, and corresponding sections of earlier codes, relating to collections of costs of serving notice, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend House File 20 by changing the period at the end of section two (2) to a comma, and adding the following: "without expense to the state."

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File 46, a bill for an act to legalize the corporate acts and proceedings of the Ledyard Co-operative Creamery Company, Ledyard, Iowa, and to provide for the renewal and extension of the period of corporate existence of said company, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Senator Valentine submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File 2, a bill for an act to amend section four thousand eight hundred sixty-seven (4867), Code, 1931, relating to the exemption of certain motor vehicles from the state license fee, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

JOHN K. VALENTINE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File 15, a bill for an act to amend section thirty (30), chapter fifty-six (56), acts of the Forty-fifth General Assembly in Extraordinary Session relating to permits for refund of motor vehicle fuel license fees, begs leave to report it has had the same under consideration and recommends the same do pass.

JOHN K. VALENTINE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File 52 a bill for an act to amend section thirteen thousand eight (13008), Code, 1931, relating to larceny at nighttime, begs leave to report it has had the same under consideration and returns the bill without recommendation.

JOHN K. VALENTINE, *Chairman.*

Ordered passed on file.

Senator Roelofs submitted the following report:

MR. PRESIDENT: Your committee on departmental affairs to which was referred House File 113, a bill for an act to amend section thirty-two hundred forty-four-b six (3244-b6), Code, 1931, as amended by the extra session of the Forty-fifth General Assembly (ch. 35), relating to the power of the secretary of agriculture to make rules and regulations, begs leave to report it has had the same under consideration and recommends the same do pass.

G. E. ROELOFS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on departmental affairs to which was referred House File 114, a bill for an act to amend section three hundred forty-two (342), Code, 1931, relating to reports to be made by the auditor of state, begs leave to report it has had the same under consideration and recommends the same do pass.

G. E. ROELOFS, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 85 in section one (1), line 6, by inserting after the word "person" the words "at the polls." PAUL H. ANDERSON.

On motion of Senator Schmidt the Senate adjourned until 10:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 20, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. J. W. Johnson, pastor of the Christian church at Bridgewater, Iowa.

PETITIONS AND MEMORIALS

The following petitions favoring the basic science bill were received and filed, to be referred to the committee on public health: Senator Anderson, from residents of Webster county; Senator Elthon, from residents of Winnebago county; Senator Nelson, from residents of Story and Boone counties; Senator Miller, from residents of Jones county; Senator Malone, from residents of Cass county; Senator McArthur, from residents of Cerro Gordo county.

The following petitions opposing the basic science bill were received and filed, to be referred to the committee on public health: Senator Harrington, from residents of Woodbury county; Senator Miller, from residents of Jones county; Senator Mason, from residents of Keokuk county; Senator Donohue, from residents of Floyd county; Senator Malone, from residents of Cass county; Senator Nelson, from residents of Boone county; Senator Patterson, from residents of Emmet county.

The following petitions were received and filed, to be referred to the designated committees:

Senator Harrington, from residents of Woodbury county, favoring Senate File 49 and Senate File 50. Committee on public health.

Senator Roelofs, from residents of Doon, favoring the tax on the so-called "chain stores" doing business in the state. Committee on cities and towns.

Senator Kimberly, from residents of Scott county, opposing House File 94. Committee on county and township affairs.

Senator Nelson, from residents of Story and Boone counties, in regard to local option on liquor stores or places where beer is sold. Committee on judiciary No. 2.

Senator Baldwin, from residents of Dubuque county, favoring House File 101. Committee on ways and means.

Senator Byers, from residents of Linn county, opposing House Joint Resolution 4. Committee on ways and means.

INTRODUCTION OF BILLS

Senate File 106, by Senator Donohue, a bill for an act to amend section one (1) of chapter one hundred eighty-three (183), acts of the Forty-fifth General Assembly, relating to nuisances and to provide that any object or structure hereafter erected within one thousand (1000) feet of the limits of any regularly established airport or landing place, which may endanger or obstruct aerial navigation, including take-off and landing, is a nuisance.

The bill was read first and second times and referred to the committee on railroads and aeronautics.

Senate File 107, by committee on appropriations, a bill for an act to defray the expenses of the election contest in the eighteenth (18) senatorial district, comprising Cass and Shelby counties, between Frank Pelzer contestant, and C. E. Malone, incumbent.

The bill was read first and second times and placed on the calendar.

Senate File 108, by committee on departmental affairs, a bill for an act to legalize the compensation paid as salaries to public officials under the provisions of chapter eighty-nine (89) of the acts of the Forty-fifth General Assembly.

The bill was read first and second times and placed on the calendar.

Senate File 109, by Senators Anderson and Shaw, a bill for an act to amend sections fifty-seven hundred twenty-eight (5728), and ten thousand eight hundred fifteen (10815), Code, 1931, as to require the judge of a police court to be an attorney at law.

The bill was read first and second times and referred to the committee on cities and towns.

Senate File 110, by Senator Anderson, a bill for an act to amend chapter seventy-three (73), acts Forty-fifth General Assembly, relating to poll taxes.

The bill was read first and second times and referred to the committee on county and township affairs.

Senate File 111, by Senator Anderson, a bill for an act to amend section thirty-four (34), chapter nineteen (19), acts extra session of the Forty-fifth General Assembly, relating to old age assistance tax.

The bill was read first and second times and referred to the committee on ways and means.

Senate File 112, by committee on cities and towns, a bill for an act to amend the law as it appears in section seventy-two hundred fifty-three (7253), section seventy-two hundred fifty-five-b one (7255-b1), section seventy-two hundred seventy-two (7272), section seventy-two hundred seventy-nine (7279), and section seventy-two hundred eighty-five (7285), Code, 1931, relating to bidding at tax sales and to redemption from tax sales; and providing for bids and purchases at tax sales by the county auditor or deputy county auditor for certifying or levying bodies, without the payment of money; and providing for the operation, maintenance and sale of any property so purchased, and the control and distribution of the proceeds of the operation and sale thereof; and providing the means for a certifying or levying body taking over property for a use incident to its powers and purposes; and providing for the payment of subsequent general taxes and special assessments before the issuance of deeds to all purchasers, except certifying or levying bodies; and providing for the annulment of certificates of tax sale and tax deeds in the event of non-compliance with said provision respecting the payment of subsequent general taxes and special assessments; and providing for reports showing all property purchased and on hand and all transactions made; and excluding general taxes and special assessments in certain special charter cities from the provisions hereof; and creating certain additional powers and duties for county auditors, deputy county auditors and county treasurers in connection with the purchase, operation and sale of property purchased under the provisions of this act by tax levying or certifying bodies.

The bill was read first and second times and placed on the calendar.

Senate File 113, by committee on agriculture, a bill for an act to revise and modernize the laws relating to co-operative corporations with and without capital stock; to define such corporations, and other terms; to provide for the incorporation, regulation, renewal, dissolution and internal affairs of such corporations; to define their necessary and permissible powers and activities; to provide for classes of stockholders and the rights, privileges, duties and obligations of stockholders and members; to exempt certain co-operative securities from the Iowa securities act; to permit marketing contracts and provide remedies thereon; to require certain fees, reports and penalties; to regulate the use of the word "co-operative"; to extend the act to certain existing co-operatives; to permit the admission of foreign co-operatives; to repeal inconsistent laws, including chapters three hundred eighty-nine (389) and three hundred ninety (390) of the 1931 Code of Iowa, and for other related purposes.

The bill was read first and second times and placed on the calendar.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun 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 59.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File 59.

BILLS SENT TO THE GOVERNOR

Senator Calhoun, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports

they have on this 20th day of February, 1935, sent to the Governor for his approval Senate File 59. JOHN N. CALHOUN, *Chairman*.

Passed on file.

REPORT OF COMMITTEE

Senator Wilson submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File 17, a bill for an act to amend section fifty-seven hundred forty-five (5745), Code, 1931, relating to the power of city or town councils to regulate dance halls, begs leave to report it has had the same under consideration and recommends the same do pass.

GEORGE A. WILSON, *Chairman*.

Ordered passed on file.

REPORT OF COMMITTEE ON RULES CONSIDERED

Senator Irwin was granted unanimous consent to consider the report of the committee on rules in its entirety as found on page 205 of the Senate Journal with the exception of the amendment pertaining to Rule 35, and that there be a division of the question on the adoption of Rule 35, as separated from the balance of the report.

Senator Calhoun moved to amend the committee report on rules as follows:

"That the third amendment be made the second amendment in the committee report."

Senator Nelson moved as a substitute for the Calhoun amendment the following:

Amend the report of the rules committee by striking the third paragraph of the amendment to Rule 1 and insert in lieu thereof the following: "Further amend Rule 1 by renumbering the paragraphs thereof to conform with suggested amendments."

The motion to substitute prevailed and the substitution was made. The substitute motion prevailed and the amendment was adopted.

Senator Irwin was granted unanimous consent to amend the committee amendment referring to Rule 18 by striking the last two words "'or committee'" and inserting in lieu thereof "'or committee chairman.'"

Senator Irwin moved that the amendments contained in the report of the committee on rules, as amended, excepting that per-

taining to Rule 35, be adopted. The motion prevailed and the amendments to the rules as amended were adopted.

Senator Calhoun offered the following amendment and moved its adoption:

Amend the committee report with reference to rule 35 by striking the words "two-thirds of the membership" and inserting in lieu thereof the words "not less than twenty-six members."

The question was, Shall the amendment to the committee amendment be adopted?

Roll call was requested.

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

Ayes, 33:

Anderson	Corwin	Hopkins	Parker
Aschenbrenner	Dewey	Hush	Patterson
Beardsley	Donohue	Malone	Pendray
Bell of Crawford	Doze	Mason	Shangle
Bell of	Driscoll	McArthur	Shaw
Des Moines	Elthon	Miller	Stanley
Berg	Fisch	Millhone	Stevens of
Billingsley	Goetsch	Mullaney	Decatur
Calhoun	Grunewald	Nelson	

Nays, 12:

Baldwin	Kimberly	Moore	Stevens of
Chrystal	Knudson	Reese	Wapello
Geske	Meyer	Schmidt	Valentine
Irwin			

Absent or not voting, 5:

Byers	Husted	Roelofs	Wilson
Harrington			

The motion prevailed and the amendment to the committee amendment was adopted.

Senator Irwin moved that the committee report of the committee on rules as amended be adopted. The motion prevailed and the committee report as amended was adopted.

COPIES OF BANKING REPORT ORDERED

Senator Irwin was granted unanimous consent to have 600 copies of the report of the state banking board ordered printed.

ACTION ON SENATE FILE 47 DEFERRED

Senator Valentine was granted unanimous consent that action on Senate File 47 be deferred and that it retain its place on the calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate Concurrent Resolution 5, memorializing Congress relative to the present rate of interest on farm mortgages including those of the federal land banks as being excessive.

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

House Concurrent Resolution 11, authorizing the appointment of delegates to the second interstate assembly to be held at Washington, D. C., February 28th and March 1-2, 1935.

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

House File 49, a bill for an act relating to taxable property.

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

House File 64, a bill for an act relating to disposition by county treasurer of certain special assessments in his hands for four years or more.

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

House File 79, a bill for an act relating to the bond of city treasurer.

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

House File 135, a bill for an act requiring the filing of the shorthand reporter's translation of his report of a trial.

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

House File 136, a bill for an act relating to the replacement of losses of public funds, etc.

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

House File 137, a bill for an act relative to the certification of the taxable value of real and personal property.

VIRGIL LEKIN, *Chief Clerk.*

THIRD READING OF BILLS

Senate File 101, a bill for an act to provide penalties for the violation of certain provisions of the law which apply or relate

to or affect the practice of pharmacy, and to this end to amend section twenty-five hundred twenty-two (2522), Code, 1931, as amended by chapter thirty (30), section seven (7), acts of the Forty-fifth General Assembly, Extraordinary Session, and to repeal section twenty-five hundred eighty-three-d one (2583-d1) of said Code, was taken up and considered.

The bill was read for information.

Senator Millhone moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 48:

Anderson	Dewey	Kimberly	Pendray
Aschenbrenner	Donohue	Knudson	Reese
Baldwin	Doze	Malone	Roelofs
Beardsley	Driscoll	Mason	Schmidt
Bell of Crawford	Elthon	McArthur	Shangle
Bell of	Fisch	Meyer	Shaw
Des Moines	Geske	Miller	Stanley
Berg	Goetsch	Millhone	Stevens of
Billingsley	Grunewald	Moore	Decatur
Byers	Hopkins	Mullaney	Stevens of
Calhoun	Hush	Nelson	Wapello
Chrystal	Husted	Parker	Valentine
Corwin	Irwin	Patterson	

Nays, none.

Absent or not voting, 2:

Harrington Wilson

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

Senator Millhone moved that the vote by which Senate File 101 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate File 102, a bill for an act to amend section twenty-five hundred seventy-nine (2579), Code, 1931, relating to persons not engaged in the practice of pharmacy and to clarify the classes to whom said section shall be applicable, was taken up and considered.

The bill was read for information.

Senator Millhone moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 44:

Anderson	Donohue	Knudson	Pendray
Aschenbrenner	Doze	Malone	Reese
Beardsley	Driscoll	Mason	Roelofs
Bell of Crawford	Elthon	McArthur	Shangle
Bell of Des Moines	Fisch	Meyer	Shaw
Berg	Geske	Miller	Stanley
Billingsley	Goetsch	Millhone	Stevens of Decatur
Byers	Grunewald	Moore	Stevens of Wapello
Calhoun	Hopkins	Mullaney	Valentine
Corwin	Hush	Nelson	
Dewey	Husted	Parker	
	Irwin	Patterson	

Nays, none.

Absent or not voting, 6:

Baldwin	Harrington	Schmidt	Wilson
Chrystal	Kimberly		

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

Senator Millhone moved that the vote by which Senate File 102 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate File 103, a bill for an act to fix and determine the conditions and qualifications under which persons may be licensed to practice pharmacy and to this end, in part, to amend section twenty-five hundred eighty-one (2581), and section twenty-five hundred eighty-three (2583), Code, 1931, relating to said subject matter, was taken up and considered.

Senator Baldwin offered the following amendment and moved its adoption:

Amend section two (2), subsection one (1), line 5, of Senate File 103, by substituting a period for the comma after the phrase "moral character" and striking the phrase "and of temperate habits."

The motion to amend was lost.

The bill was read for information.

Senator Millhone moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 46:

Anderson	Donohue	Kimberly	Patterson
Aschenbrenner	Doze	Knudson	Reese
Baldwin	Driscoll	Malone	Roelofs
Beardsley	Elthon	Mason	Schmidt
Bell of Crawford	Fisch	McArthur	Shangle
Bell of Des Moines	Geske	Meyer	Shaw
Berg	Goetsch	Miller	Stanley
Billingsley	Grunewald	Millhone	Stevens of Decatur
Byers	Hopkins	Moore	Stevens of Wapello
Calhoun	Hush	Mullaney	Valentine
Corwin	Husted	Nelson	
Dewey	Irwin	Parker	

Nays, none.

Absent or not voting, 4:

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

Senator Millhone moved that the vote by which Senate File 103 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Joint Resolution 7, a bill for an act agreeing to a proposed amendment to article three (III) of the constitution of the state of Iowa by repealing section thirty-three (33) thereof relating to the state census.

Whereas, By Senate Joint Resolution 5 of the Forty-fifth General Assembly, an amendment to the constitution of the state was proposed; and

Whereas, The said proposed amendment was agreed to by a majority of the members elected to the House of Representatives of the Forty-fifth General Assembly and entered upon its official printed Journal at pages 295 and 296 with the yeas and nays taken thereon, and was agreed to by a majority of the members elected to the Senate of said Forty-fifth General Assembly and entered upon its official printed Journal at pages 187 and 188 with the yeas and nays thereon; and

Whereas, Said proposed amendment was in words and figures as follows, to wit:

"Amend article three (III) by repealing section thirty-three (33) relating to the state census"; and

Whereas, The said resolution and proposed amendment have been published as provided by law and have been, by the secretary of state of the state of Iowa reported to this, the Forty-sixth General Assembly, for action thereon; and

Whereas, Such report of the secretary of state of the state of Iowa, has been presented to this, the Forty-sixth General Assembly and is entered upon its official printed Journals at pages 208 and 209 of the Senate and at page 258 of the House of Representatives; now, therefore,

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

Section 1. That the proposed amendment to the constitution of the state of Iowa as contained in and proposed by said Senate Joint Resolution 5 of the Forty-fifth General Assembly, being in words and figures as follows, to wit:

"Amend article three (III) by repealing section thirty-three (33) relating to the state census", be and the same is hereby agreed to, enacted, and adopted by the Forty-sixth General Assembly.

The joint resolution was read for information, taken up and considered.

Senator Valentine moved that the reading just had be considered the third reading and the joint resolution be placed on its passage, which motion prevailed.

The question was, Shall the joint resolution pass?

On the question, Shall the joint resolution pass? the vote was:

Ayes, 47:

Anderson	Donohue	Knudson	Pendray
Aschenbrenner	Doze	Malone	Reese
Baldwin	Driscoll	Mason	Roelofs
Beardsley	Elthon	McArthur	Schmidt
Bell of Crawford	Fisch	Meyer	Shangle
Bell of	Geske	Miller	Shaw
Des Moines	Goetsch	Millhone	Stanley
Berg	Grunewald	Moore	Stevens of
Billingsley	Hopkins	Mullaney	Decatur
Byers	Hush	Nelson	Stevens of
Calhoun	Husted	Parker	Wapello
Corwin	Irwin	Patterson	Valentine
Dewey	Kimberly		

Nays, none.

Absent or not voting, 3:

Chrystal	Harrington	Wilson
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The joint resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the governor announcing that he had signed Senate Files 22, 32 and 67 on February 19, 1935.

Senator Shangle moved that the Senate recess until 1:45 p. m.

Senator Stevens of Wapello moved to amend the motion to read "recess until 1:15 p. m."

The amendment to the motion was adopted, and the motion, as amended, prevailed.

AFTERNOON SESSION

Having recessed until 1:15 p. m., the Senate reconvened, President pro tempore Harold L. Irwin presiding.

Senator Chrystal was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 114, by Senator Chrystal, a bill for an act relating to the improvement of state-owned meandered lakes and streams and other waters under state jurisdiction, and providing an appropriation therefor.

The bill was read first and second times and referred to the committee on state planning.

Senate File 115, by committee on departmental affairs, a bill for an act to repeal sections one thousand seven hundred three d-one (1703-d1), one thousand seven hundred three d-two (1703-d2), one thousand seven hundred three d-three (1703-d3), one thousand seven hundred three d-four (1703-d4), one thousand seven hundred three d-five (1703-d5), one thousand seven hundred three d-six (1703-d6), one thousand seven hundred three d-seven (1703-d7), one thousand seven hundred three d-eight (1703-d8), one thousand seven hundred three d-nine (1703-d9), one thousand seven hundred three d-ten (1703-d10), one thousand seven hundred three d-fourteen (1703-d14), one thousand seven hundred three d-sixteen (1703-d16), one thousand seven hundred three d-seventeen (1703-d17), one thousand seven hundred three d-eighteen (1703-d18), one thousand seven hundred three d-nineteen

(1703-d19), one thousand seven hundred three d-twenty (1703-d20), one thousand seven hundred three d-twenty-one (1703-d21), one thousand seven hundred three d-twenty-two (1703-d22), one thousand seven hundred three d-twenty-three (1703-d23), one thousand seven hundred three d-twenty-four (1703-d24), one thousand seven hundred three d-twenty-five (1703-d25), one thousand seven hundred three d-twenty-nine (1703-d29), and one thousand seven hundred three d-thirty (1703-d30), of chapter eighty-five D-one (85-D1); to repeal sections one thousand seven hundred ninety-five (1795), one thousand seven hundred ninety-six (1796), one thousand seven hundred ninety-seven (1797) and one thousand eight hundred twenty-one (1821) of chapter eighty-seven (87); to repeal section two thousand six hundred four (2604) of chapter one hundred twenty-six (126); to amend section two thousand five hundred eighty-seven (2587) by striking out the word "forestry" in line 4 of subsection one (1) of section two thousand five hundred eighty-seven (2587) of chapter one hundred twenty-five (125); to amend section two thousand six hundred seventeen (2617) of chapter one hundred twenty-six (126) by striking out the words "department of agriculture" in lines 5 and 6 and inserting in lieu thereof the words "conservation commission", all of said sections above referred to being sections of the 1931 Code of Iowa; to provide an adequate and flexible system for the propagation, protection, development and use of forests, fish, game, fur-bearing animals, waterfowl, non-game birds, lakes, streams, plant life, parks, preserves, archaeological subjects, historical and scenic areas, and other outdoor resources in the state of Iowa; to consolidate the present fish and game commission and the board of conservation of the state of Iowa; and to create a conservation commission to administer the laws with reference to the fish and game commission, the board of conservation and the forestry commissioner of the state of Iowa.

The bill was read first and second times and placed on the calendar.

Senate File 116, by Senators Elthon, Mason, Malone and Shaw, a bill for an act regulating the operation and organization of and defining benevolent protective associations, defining the conditions under which they may operate, and granting authority to the insurance commissioner to make examination of said associations; placing control of such associations in the insurance commission;

providing for deposit with the insurance commissioner; providing for filing and examination fees; providing for termination of such association under certain conditions; and providing penalties for violation of the act.

The bill was read first and second times and referred to the committee on insurance.

HOUSE MESSAGES CONSIDERED

House File 49, a bill for an act to amend section six thousand nine hundred fifty-three (6953), Code, 1931, relating to taxable property.

The bill was read first and second times and referred to the committee on cities and towns.

House File 64, a bill for an act to amend the law as it appears in section sixty-six ten-e forty-six (6610-c46), Code, 1931, relating to street improvements, special assessments and payments by the county treasurer to the city treasurer, authorizing and directing the county treasurer of any county to pay to certain cities and towns all moneys in his hands, collected upon special assessments for which street improvement or sewer certificates were issued by said city or town, and which money has been in the treasurer's hands for four (4) years or more, uncalled for by the owner, and providing that said cities and towns shall hold said money for the owner and pay the same to the owner of any certificate upon demand, but in the event said money is not demanded for a period of ten (10) years from the date the installments become due and payable, the said moneys so uncalled for shall become the property of said city or town; and to repeal all laws or parts of laws in conflict with this act.

The bill was read first and second times and referred to the committee on cities and towns.

House File 79, a bill for an act to amend chapter two hundred eighty-seven (287) and section fifty-six hundred fifty-four (5654), Code, 1931, relating to the bond of city treasurer and the expense of procuring said bond.

The bill was read first and second times and referred to the committee on cities and towns.

House File 135, a bill for an act to require the filing of the shorthand reporter's translation of his report of a trial and to constitute such filed translation a public record for the use of all parties to an appeal.

The bill was read first and second times and referred to the committee on judiciary No. 1.

House File 136, a bill for an act to amend sections fifty-one hundred sixty-nine-a two (5169-a2) to fifty-one hundred sixty-nine-a nine (5169-a9), inclusive, Code, 1931, [except sections fifty-one hundred sixty-nine-a six (5169-a6) and fifty-one hundred sixty-nine-a eight (5169-a8)] as to render said sections harmonious with chapter four (4), acts Forty-fifth General Assembly, otherwise known as the "Budget and Financial Control Act," all said sections having relation to the replacement of losses of public funds in the hands of county treasurers.

The bill was read first and second times and referred to the committee on banks and banking.

House File 137, a bill for an act to amend section seventy-one hundred forty-eight (7148), Code, 1931, relative to the certification to the state board of assessment and review of the taxable value of real and personal property.

The bill was read first and second times and referred to the committee on judiciary No. 1.

REPORTS OF COMMITTEES

Senator Schmidt submitted the following report:

MR. PRESIDENT: Your committee on educational institutions to which was referred Senate File 66, a bill for an act to amend paragraph 5, section one thousand sixty-three (1063) of the Code, 1931, relating to the amount of the bond to be furnished by each treasurer of a state educational institution, etc., begs leave to report it has had the same under consideration and recommends the same do pass.

PAUL SCHMIDT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on educational institutions to which was referred Senate File 70, a bill for an act to amend section four thousand seventy-two (4072) of the Code, 1931, relating to the date on which the superintendent of the Iowa school for the deaf shall make

certain reports to the state comptroller, begs leave to report it has had the same under consideration and recommends the same do pass.

PAUL SCHMIDT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on educational institutions to which was referred Senate File 72, a bill for an act to amend section three thousand nine hundred twenty-six (3926) of the Code, 1931, relating to the loaning of funds belonging to institutions that are under the supervision and control of the Iowa state board of education, begs leave to report it has had the same under consideration and recommends the same do pass.

PAUL SCHMIDT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on educational institutions to which was referred Senate File 75, a bill for an act to amend paragraph four (4) of section one thousand sixty-three (1063) of the Code, 1931, relating to the payment of bonds for the members of the finance committee of the Iowa state board of education, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

PAUL SCHMIDT, *Chairman.*

Ordered passed on file.

HOUSE CONCURRENT RESOLUTION 11 CONSIDERED

Senator Stevens of Wapello was granted unanimous consent that the rules be suspended and the Senate consider House Concurrent Resolution 11.

HOUSE CONCURRENT RESOLUTION 11

A resolution authorizing the Speaker of the House, and the President of the Senate to designate delegates to the Second Interstate Assembly to be held at Washington, D. C., February 28, and March 1-2, 1935, and to provide expenses therefor.

Whereas, The Second Interstate Assembly has been called by the Council of State Governments and the American Legislators' Association, to be held on Thursday, Friday, and Saturday, February 28 and March 1-2, 1935, at the Mayflower hotel, Washington, D. C., to consider federal and state tax policies on the basis of the recommendations submitted by the interstate commission on conflicting taxation, which was established two years ago by the first assembly; and

Whereas, It is apparent that substantial benefits would result from closer contacts between the legislative and administrative divisions from the various state governments, and that many governmental difficulties are aggravated by the absence of adequate facilities for conference between these bodies; and

Whereas, The present economic emergency creates an imperative necessity now emphasized by the President's program of economic security for joint council and concerted action; and

Whereas, It is believed that the moment has now arrived for establishing adequate means for communication and conference between the states and the federal government; and

Whereas, The General Assembly of this state is invited to send as its delegates to this conference six of its members—to be chosen in such manner as this body may determine; therefore

Be It Resolved that the House of Representatives, the Senate concurring: Hereby authorize and instruct the Speaker of the House of Representatives and the President of the Senate to appoint one representative and one senator as a delegation to the Interstate Assembly, which convenes in Washington, D. C., on February 28, 1935. Such delegation shall be without power to commit the House of Representatives and the Senate to action, and

Be It Further Resolved: That the said delegation shall be entitled to reimbursement for its reasonable expenses upon presentation of the proper statement of such expenses (in an amount not to exceed two hundred (200) dollars); and

Be It Further Resolved: That the Speaker of the House and the President of the Senate immediately advise the corresponding secretary of the conference in care of the American Legislators' Association, Drexel avenue and Fifty-eighth street, Chicago, Illinois, of the appointment of such delegate or of such delegation.

Senator Roelofs moved that the concurrent resolution be adopted.

The chair called for a division of the vote and announced that the motion prevailed and the concurrent resolution was adopted.

THIRD READING OF BILLS

House File 152, a bill for an act to amend Senate File 34, section two (2), acts of the Forty-sixth General Assembly, and approved by the Governor on the fourth day of February, 1935, and now on file in the office of the secretary of state, relating to an emergency act relative to the foreclosure of real estate mortgages and deeds of trust or notes secured thereby, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Malone moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 42:

Aschenbrenner	Doze	Kimberly	Pendray
Beardsley	Driscoll	Knudson	Roelofs
Bell of Crawford	Elthon	Malone	Schmidt
Bell of	Fisch	McArthur	Shangle
Des Moines	Geske	Meyer	Shaw
Berg	Goetsch	Miller	Stanley
Billingsley	Grunewald	Millhone	Stevens of
Byers	Hopkins	Mullaney	Decatur
Calhoun	Hush	Nelson	Stevens of
Corwin	Husted	Parker	Wapello
Dewey	Irwin	Patterson	Valentine
Donohue			

Nays, none.

Absent or not voting, 8:

Anderson	Chrystal	Mason	Reese
Baldwin	Harrington	Moore	Wilson

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

Senator Malone moved that the vote by which House File 152 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate File 18, a bill for an act to amend section twelve thousand two hundred eighty-two (12282), Code, 1931, relating to appeal or writ of error in an action of forcible entry or detainer of real property before a justice of the peace and to permit a stay of proceedings upon filing bond, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Calhoun moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 45:

Aschenbrenner	Berg	Dewey	Fisch
Baldwin	Billingsley	Donohue	Geske
Beardsley	Byers	Doze	Goetsch
Bell of	Calhoun	Driscoll	Grunewald
Des Moines	Corwin	Elthon	Hopkins

Hush	McArthur	Parker	Shaw
Husted	Meyer	Patterson	Stanley
Irwin	Miller	Pendray	Stevens of
Kimberly	Millhone	Reese	Decatur
Knudson	Moore	Roelofs	Stevens of
Malone	Mullaney	Schmidt	Wapello
Mason	Nelson	Shangle	Valentine

Nays, none.

Absent or not voting, 5:

Anderson	Chrystal	Harrington	Wilson
Bell of Crawford			

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

Senator Calhoun moved that the vote by which Senate File 18 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE 2 WITHDRAWN

Senator Mullaney was granted unanimous consent to withdraw Senate File 2 from further consideration by the Senate.

COMMITTEE FROM THE HOUSE

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

The Senate proceeded to the House under the direction of the Sergeant-at-Arms.

JOINT CONVENTION

In accordance with House Concurrent Resolution .8 duly adopted, the joint convention was called to order, President pro tempore Irwin of the Senate presiding.

President pro tempore Irwin announced a quorum present and the joint convention duly organized. The joint convention then received the Iowa Pioneer Lawmakers Association.

Senator L. T. Shangle gave the following address of welcome on the part of the Senate:

MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THE PIONEER LAWMAKERS ASSOCIATION: We all feel honored in having you with us today in this twenty-fourth session of your biennial reunion and in being permitted to have a part in this celebration which means so much to you in this happy

renewal of old and cherished associations. It is my pleasant duty in behalf of the Senate to give audible expression to that kindly welcome we feel for you in all our hearts.

The word "welcome" is one of the sweetest and pleasantest words in the English language, but it is sweet and pleasant only because of the sentiment that lies back of it. If it comes from a heart filled with real kindness, it will excite in the recipient some of the finest emotions known to the human heart. It is in that spirit and that spirit alone that I here and now bid you "well come" or "welcome."

To simply say you are welcome were superfluous, but how welcome are you? "You are as welcome as good tidings after distressing fears." As welcome as fresh showers to the dry and parched earth after such a drouth as we had last summer.

My own life has fallen far enough into the sere and yellow leaf that I have some personal appreciation of the universal respect we have for the gray hairs that betoken old age. By common consent gray hairs are a crown of glory: the only object of respect that never can and never does excite envy. We all venerate old age; we love not the man who can look without emotion upon the sunset of life when the dusk of evening begins to gather over the watery eye and faltering step, and the shadows of twilight grow broader and deeper upon the understanding.

Your active days are over. You have reached that period in life when you can say with Goldsmith:

"Oh blest retirement, friend to Life's decline,
Retreat from cares, that never must be mine.
How blest is he who crowns, in shades like these,
A youth of labor with an age of ease."

With heads silvered o'er with the gray hairs that the poet has been pleased to call "Death's Blossoms," it is your happy privilege to revisit the scenes of your former triumphs and live over again those sturdy battles where in the clash of mind with mind, and opinion with opinion, you hammered out upon the anvil of Truth that wise and beneficent legislation that laid broad and deep those sure foundations upon which our great state was built and that have made her second to none in all that makes for a happy, a contented, and a prosperous citizenry.

In that return may you meet with nothing but joy and pleasure and that happy appreciation of reward for service well done that is so justly your due.

And now, venerable men, may that Providence that has bounteously lengthened your days that you might behold this joyous occasion, continue to be gracious unto you and continue to grant to us, your successors and your countrymen, the proud and happy privilege of meeting you here and in the name of the state thank you for your patriotic services that have so enriched our people.

Whether a man is rich or poor depends more upon what he is than upon what he has.

Our grand old state of Iowa is rich by both what she is and by what she has, to both of which, by your patriotic services, you have largely contributed. May our joy in you and your joy in us never be less.

"Welcome ever smiles and Farewell goes out sighing." So with a Hail and Farewell, I greet you. A smile of welcome and a tear for that farewell so soon to follow. Let me add this parting wish: When your little day of life on earth shall end, as end some time it must, may you each and all behold a glorious sunset. I don't know whether this address is more of a how de do or a good-by.

Representative Arch W. McFarlane gave the following address of welcome on the part of the House:

It is with profound pleasure that I bespeak the sentiments of every member of this assembly, in extending to the Pioneer Lawmakers of Iowa a hearty welcome home. To you who have labored here in the days gone by, I can only say that you played your parts well, and have contributed in no small degree to the upbuilding of one of the leading commonwealths of the nation.

Your conception of governmental institutions was in accord with those of the great George Washington, whose natal day we celebrate this week, and the founders of this republic. You kept in mind the fundamental principles of government, with a keen sense of right and wrong. You asked no special favors from the state or nation, only the protection of liberties and property, and the guarantee of an equal opportunity and chance in the race of life.

Your triumphs come to us as an obligation, and your unstinted sacrifices invoke our pledge of devotion to the responsibilities of our time. To you we pay our tribute of praise and appreciation, as we accept the burdens of the tasks unfinished and seek to carry on.

Let us also admonish those who shall rise to fill our places in the long line of generations yet to come, to follow in the footsteps of the Pioneer Lawmakers—the Old Dealers of Iowa—and be guided by your precepts, and governed by your examples. Your advice and counsel is valuable to the members of this assembly, and we bid you welcome today and every day.

The program was then carried out as arranged by the Iowa Lawmakers Association, President John T. Clarkson of the Association in charge.

President Clarkson then introduced Ex-Senator A. V. Proudfoot, who addressed the joint convention as follows:

LEGISLATIVE AND POLITICAL REMINISCENCE

MR. CHAIRMAN, MEMBERS OF THE FORTY-SIXTH GENERAL ASSEMBLY, PIONEERS AND CITIZENS: As a former legislator in the Thirty-third, Thirty-fourth, Thirty-seventh and Thirty-eighth General Assemblies, together with two or three extra sessions, and now numbered among the pioneer lawmakers of the state, I greet you one and all with an open heart and hearty hands. And speaking for your predecessors who are present, and who ere long will contemplate the time which the poet refers to as the "sere and yellow leaf," and entertaining, I trust, a proper degree of sym-

pathy and understanding, I salute the Forty-sixth General Assembly now in the midst of its biennial session.

To be entirely frank, it is proper for me to say, what Iowa history has already revealed, namely, that prior to this very moment, I had not lived long enough to have been confronted with a legislature of the political complexion borne by the decided majority which I see before me, and to be again entirely frank, I must say that a preliminary survey does not reveal countenances any more swarthy than those I saw in former years about these corridors.

Quite aside from any political affiliations or party preference, however, I am entirely truthful when I say that I am not these days very anxious to be occupying seat No. 40 in the chamber across the rotunda. I shall speak somewhat briefly, and will be pardoned by being personally involved in some reminiscences, which reminiscences are given in no partisan spirit, but historically only. However much we would like to do it, I have not conceived this afternoon to be the time, nor this legislative hall to be the place, for discussion and recommendation as to the many controverted problems, state and national, that weigh upon the minds and hearts of legislators and congressmen.

My experience has taught me also that members of a General Assembly are in no great hurry to accept the opinions of others than themselves. This Pioneer Lawmakers Association is purely voluntary, without politics, without platforms, without responsibility, save only the responsibility, grave though it is, of continuing as good citizens of the state and community. We are subject to no official investigation by this body, even though prior sessions have appropriated a very modest sum for printing, etc., and this appropriation, I think, has been withdrawn. Therefore, we are entitled to immunity from any inquisition and are entitled to go home and vote when the time comes, and worship under our own vine and fig tree.

These occasions are very largely reunions of a reminiscent character, and incidentally afford an opportunity of lending age and some dignity to present and future statesmen, both men and women, to whom the world looks for salvation, and to impose upon them our political contacts and experiences now twenty years old and more, shake the dust from our feet and return in peace and quiet to our homes.

It is true that once in a while some distinguished pioneer on occasions like this may have seen fit to advance his own opinions and arguments as to pending or future legislation, but he was no doubt sure of his audience. I shall take no such chances. The passing years continue to breed new ideas. Now for some reason not altogether patent, former legislators never saw the necessity of stretching a cordon around the seats of the mighty, and I have never heard of any of them suffering martyrdom for a failure so to do, and I am persuaded that the people of the state could very properly regard a barrier of that kind as serving two distinct purposes, namely: That of keeping those on the outside from getting in and those on the inside from getting out. From all this it is not to be anticipated that this new form of protection will ever develop into a picket enclosure. If I were to divulge the whole truth, which after the lapse of two decades I am disposed to do, it would be to tell you that on

one certain occasion, which I very vividly recall, when an important bill was under serious consideration and a vote was soon to be taken, a closely woven web fence, with three barbed wires on top, should have been thrown around my room in a certain hotel, and an inside enclosure of similar structure thrown about my humble cot, as a member of the so-called "third house" in the wee small hours of the morning gained admittance, seeking an advance pledge for my vote on the measure he was hoping to save from defeat. Pioneers of other days, however, who had similar experiences may now be disposed not to withhold approval of the new departure on the part of the Forty-sixth Senate.

As former lawmakers returning to these familiar chambers, we are frank to confess we cannot suppress a flood of recollections that crowd in upon our memories as we recall our herculean efforts to save the state and leave our everlasting impress upon the statute books of the commonwealth. In those days, as well as these, the number of willing and sacrificial embryo commissioners, board members, congressional aspirants, governors, consuls, etc., that appeared from the membership of a General Assembly was simply astonishing and altogether bewildering, then as now, to the appointing power and to the voting constituency of the state. Yet while these personal interests frequently, and I should hope, unselfishly conflict, and very often clash, men and women elsewhere never get quite so close together in their relationships in life as do legislators when mingling together in state and social contacts for ninety strenuous days throughout these halls. Here we learn to know the motives, the ambitions, the histories of each other. Here we detect likes and dislikes, and learn each other's conception of life and its outcome, estimate loves and hates, if any there be, services to human kind and appraisements of the world that now is and that which is to come.

How many of us, in sadness, have gone home after adjournment, with hopes blasted, ambitions defeated, motives questioned, and the sense of failure to accomplish what we thought the state so sorely needed. However, with those of us who are so many steps removed, such experiences are well nigh forgotten and we are relegated to a day one-fifth of a century in the past.

Notwithstanding all this, the fair state of our birth with many of us, and the state of their adoption with others, for which we all studiously strove, lives on and will continue to live on, until the remnant of this assembly and its successors for decades to come, shall automatically be eligible to membership in a pioneer association. But who can tell, unless forsooth it be the Senator from Jackson, and her immediate proponents, how long it will be before your membership will be split in twain and Iowa will enact its laws in a unicameral legislature, a thing never dreamed of in daytime or night by a pioneer lawmaker. And who knows but that this assembly along other lines may have come to the kingdom of the state for such a time as this? A time of newer and bigger and more unheard of problems than were ever before known to a General Assembly. May I take a moment along a little different line?

Legislatures, and congresses as well, have ever exhibited a tendency to delegate their authority to other bodies or other high officials. This tendency has grown in recent years. We all feel some concern because of

this apparent abdication of fixed authority in the legislative branch of both state and federal governments.

The Constitution of the United States, in its very first article, provides that all legislative powers shall be vested in a Senate and House of Representatives, and our own constitution in article three thereof ordains that in the state also legislative authority shall reside in a General Assembly, consisting of a Senate and House of Representatives (unless of course the constitution shall be amended). The legislative department in both instances being the very first of the three great primary departments of government, to be set up by both state and federal authority, and for the manifest reason, no doubt, that the judiciary cannot construe and determine and the executive cannot execute and enforce until the legislative branch has enacted and possibly enacted such laws as may be submitted for construction and execution.

Congress is wrestling afresh with this very question, not yet fully knowing, legally, how far it may go toward conferring authority upon the Chief Executive and others below him. Legislation of such character is quite numerously in the hands of various United States courts, for determination, and the supreme court is being frequently called upon to say how elastic the constitution may be held to be, in authorizing such enactments, even in the days of extreme emergencies.

I am one of those who feels that the Constitution, inspired by the people and crystallized into written form by their direct representatives, was made to serve the people, who are its real authors, and should be construed from time to time to fit the various justifiable emergencies in which the people find themselves. All of course within legal bounds, and following the principles of right and justice and the good of human kind which should be the goal of all interpretation. Mr. Cooley has said, however, "that there are some bounds to the authority of government" and that some people may entertain a vain impression that "government may rightfully do whatever it has the power to do." Such must not be the case. And such he further says "is not the theory of American constitutions. The sovereignty with us is in the people, who have delegated to the agencies of their creation only so much of the powers of government as they deemed safe, proper and expedient." So when laws have been enacted and carried to the highest court for interpretation, we are still able to observe with what loyalty and almost respectful silence a patriotic people await the decision of the supreme judicial tribunal, and with what sensible submission they bow to the will of that decision.

This attitude on the part of vitally interested citizens throughout the country, is being demonstrated anew since the momentous so-called "gold clause" decision, handed down only 48 hours ago, after a wait of months in almost breathless anxiety. While it was a five to four decision with which the minority flatly dissented, saying the "Constitution has been swept away," yet our people, schooled in the doctrine of majority rule, even among courts, will loyally submit, as they have always done, when the highest legal authority has spoken.

But as before indicated, your body for the state, and congress for the nation, constitute the first and only authority of the three great triumvirate primary departments which solely and alone are charged

with the highest duty of creating law. Mr. Blackstone says: "The power of making laws constitutes the supreme authority, and wherever the supreme authority in any state resides, it is the right of that authority to make the laws." At the risk therefore of being called in question by the executive and the judiciary, may I congratulate law-making bodies here and elsewhere upon the exalted position to which Cooley and Blackstone have assigned them.

All this, however, means that the legislature must keep within its own bounds and enact no laws if possible which could be found to have no standing under the Constitution, much less undertake to say what the law shall mean or how it shall be applied rather than to state what the law is.

Removed as pioneers from the more active participation in the affairs of state, yet we continue to be interested and cannot refrain from expressing anxiety as to whether legislatures, and the congress as well, are failing to hold fast and intact the grants solemnly conferred by the organic law of both state and nation. We are constrained to exhort this assembly to be wary of its high and exclusive authority and jealous of its inherent rights which should never be compromised, much less delegated away from its superior granted powers.

The congress of the United States now and for some years has been charged with this very abdication, and the supreme court as the interpreting branch of the government alone is clothed with power to say just how far the Constitution may be stretched even under an emergency such as today prevails throughout the country.

By reference to the "Annals of Iowa" of four years ago, in which the proceedings of the Pioneer Association appear, I find the highly interesting speech of Hon. Irving R. Richman of Muscatine, recalling before the Forty-fourth General Assembly some Iowa politics under the significant title "Pioneer Iowa Lawmakers Who Were Democrats." If he were delivering that address now I presume he would entitle it, "Iowa Lawmakers Who Are Democrats" and it would take him most of the afternoon to do it. The minority then very much needed reviving, just as the minority now is suffering a very bad case of atrophy. Mr. Richman is a distinguished citizen and Democrat—a former assemblyman from Muscatine county, and by reason of his youth was referred to as the "boy" legislator. He was chairman of the Democratic state convention in Sioux City in 1889 that nominated Horace Boies for governor. He is a writer, having compiled a history of the state of Rhode Island and a history of the state of California. Was consul general to Switzerland, out of whose lofty peaks no doubt came some of the inspiration for his poetic and political oratory, and only recently published the interesting volume called "Ioway to Iowa" which many of you have read. He wound up his speech that day by saying "Long live the middle west, and as the heart of the middle west, long live Iowa, and as a badly needed element in Iowa politics long live Iowa Democrats." And they did live and lived long and seem yet to be very much alive, and Mr. Richman has stayed to see this element predominate. I wonder if we could induce him now to say that a badly needed element in Iowa politics is a little more Republicanism.

Like Brother Richman I have from a lad always been interested in political campaigns, political candidates and political platforms and elections, but after the recent most significant vote in the United States Senate, I am wondering just how much adherence should be attached to platforms and elections, especially on the part of those who helped to construct the platform and stood as candidates thereon. I have always regarded party declarations made in convention assembled by properly accredited delegates as something more than a "mere scrap of paper" and learned to look upon candidates accepting nomination and election thereon to be solemnly charged with such adherence. Cleveland, you know, said way back yonder: "Party honesty is party expediency."

So much in my youth was I interested in men and campaigns that, as a boy in my teens, I rode sixteen miles on top of a freight train to hear James G. Blaine of Maine, that versatile, accomplished legislator, Speaker of the National House of Representatives, United States Senator, orator, statesman, Secretary of State in Harrison's cabinet, father-in-law to Walter Damrosch, of orchestral fame, candidate for the presidency, to whom Robert G. Ingersoll, in nominating him for that position, referred as being like "an armed warrior, like a plumed knight, who walked down the halls of Congress, and threw his shining lance full and fair against the brazen foreheads of his defamers." James G. Blaine never said it, but Samuel D. Burchard, one of a deputation who visited him in 1884, made this radical and unwarranted statement: "We are Republicans, and don't propose to leave our party and identify ourselves with the party whose antecedents have been Rum, Romanism and Rebellion." That statement defeated Blaine. Though he tried to explain it away, he never succeeded. Sometimes a man's fool friends are as dangerous as his enemies. How I recall the gallant, soldierly, commanding General James B. Weaver, who entered the army from Davis county—almost nominated for Governor against Kirkwood. Afterward in Congress, as a Greenbacker—an ardent prohibitionist, candidate for the presidency. During one of his active campaigns I saw him in action before a whole township of people, out in the open air, a campaigner of the old school, interesting and dramatic but the champion of a lost cause.

Then in those same Greenback days, we had from this district, right out from under the shadow of this capitol, a congressman by the name of Gillette—E. H. Gillette, somewhat contemptuously called "Heifer Calf" Gillette—elected in 1878—reflecting somewhat the adverse economic conditions of those days. I think heifer calves in recent months have been worth about what they were at that time. He appeared also with his distinguished colleague, General Weaver, at the township outpouring above referred to. I wonder if these men would have a following if they were here now. But Gillette didn't stay long in Washington, having been succeeded in 1880 by the able pioneer Iowa lawmaker, long-time prominent statesman and accomplished diplomat, whom many of us have heard with profit and delight, John A. Kasson.

William Howard Taft was a guest of the joint assembly during my day, soon after involuntarily retiring from the presidency by reason of an avalanche of Democratic votes, which left him only eight electors, and which swept Woodrow Wilson, the classical professor from Princeton,

into the White House for eight years. While we are dealing in reminiscences more or less personal, may I be pardoned for saying that it fell to my lot on that occasion to introduce the jolly ex-president to the lawmakers of Iowa from this platform.

Most of my hearers do not know it, and had you known it, have long since forgotten it,—and that is that my name once upon a time appeared on the Republican primary ballot for nomination to the highest office in the state. I sometimes wish I might forget it myself. But that ticket received 30,000 votes, yet notwithstanding that vote, Perry Holden and I went down to inglorious defeat and Governor Clarke was nominated and subsequently twice elected, and the opposition got mighty close to Governor Clarke in one of his elections. We shall not soon forget his campaign, however, in which he championed extension of the capitol grounds as one plank in his platform and because of which some people feared a coming high tax, but none ever came. Who now among all our citizens regrets for a moment that this state house occupies one of the most commanding sites of any capitol in the country?

In this same connection, if you please, I am going to boast of having made the first capitol extension speech ever made in the state. During my first term there was a movement on foot, brought about by the city of Des Moines, to beautify the river front and move the soldiers' monument to the foot of one of these streets. This to be done without expense to the state. Captain and Senator J. D. Brown of Leon was on the military affairs committee of the Senate to which the proposal had been referred. The old soldiers were opposed to it. Senator Brown induced me to make a speech adverse to the proposition. I said the old soldiers' preference should be respected—the monument ought not be removed. Why not the state get title to all this land south clear down to the railroad tracks, clean it off, beautify it, so that every man, woman and child going through Des Moines by rail would see the beauty spot where the capitol and monument stand. A fine advertisement for the state. The state got the land. The monument was not moved, not from what I said but because of the wishes of the soldiers of 1861.

I have never been quite willing to admit that I was an uncompromising, hide-bound partisan, at least till that matter had to be decided in the voting booth where every one of us, men and women alike, should deposit his ballot confronted with his conscience and his God. I have really had some consideration at the hands of those who honestly differed with me in matters of political affiliation. As one of these considerations I had the rare privilege of dining with William Jennings Bryan when he was at his zenith, and was after dinner called upon to introduce him to a chautauqua audience of fifteen hundred people who sat spell-bound for an hour and a half while he swept them to their very depths with his soul-stirring lecture on the "Prince of Peace." Such flights of oratory, such sublime conception, such convincing statement and such commanding Christian expression I have scarcely ever heard before or since from the lips of any man. A polished Christian gentleman, a delightful companion, orator of the first magnitude—twice candidate for President of the United States, but differing with his own party, thousands of whom would not follow his lead—probably wrong on the money question. Congressman,

churchman, Secretary of State with Woodrow Wilson—got out of the cabinet because the war spirit was too strong—such was William Jennings Bryan, the boy orator of the Platte—but we could not vote with him. But if he were wrong then, just how nearly would he be right now?

CONCLUSION

We have just passed the 12th of February, the day on which 126 years ago America's great Emancipator was born, and whose birthday is annually observed by a grateful people numbering one hundred and thirty millions.

In getting its permanent organization finally perfected I have read that the Forty-sixth General Assembly has been talking a good deal about prayer observance, quoting scripture, and among other suggestions announcing the doctrine that the laity as well as the clergy may also pray, and indeed indicating that it is their duty to do so, even silently. This movement on the part of any legislature is altogether a hopeful sign.

Ida M. Tarbell, the distinguished, reliable and life-long biographer of the martyred President, has a brief article in the current March number of the *Cosmopolitan*, which she calls "The Greatest Lincoln Story of All." In this article she pictures the great burden-bearer of a race at night upon his knees before a table in his dingy law office in Springfield, pouring out his great soul in prayer, asking Divine guidance as to whether he should enter upon those now historical and never-to-be-forgotten debates with Douglas, the final outcome of which made Lincoln the successful candidate for the presidency.

There he knelt, silent and alone, his great angular frame shaking with emotion, saying to his God: "Here I am in middle life, politics aside, and just settled down to the practice of the law, with a family of boys to educate. How my political enemies will ridicule me, as they are already doing, saying I want a Negro wife and am trying to break up the Union. I can't win against a great man like Douglas—me, a nobody—all I can do is try to make more people see that his efforts mean an America all slave. Oh! God, not that—The men who started this Union never meant that." Thus he continued to wrestle until, rising from his knees, he began pacing up and down, his great soul in utmost agony. How like Gethsemane of old—In fact he picked up his old Bible that lay upon his office table, and read Matthew's account of that age-old tragedy in the garden. There was no escape. That prayer led Lincoln into the fray, and into the spotlight before the American people.

Months later when taunts of ambition were hurled into his teeth he wrote these words in memory of that night—"God knows how sincerely I prayed from the very first that this field of ambition might not be opened."

Lincoln was a layman. He was not then even an office holder. A country lawyer in a dingy office in the town of Springfield. But he was Divinely called. With an exception or two his legislature is composed of laymen. You are part and parcel of this same government that was then at stake. You are here to legislate for one sector of that government. Great problems confront you. Problems of taxation—problems of relief—problems of social betterment—problems of department

reorganization—problems of liquor control—problems of crime and law enforcement. Problems of actual want coming up from thousands of men, women and children—citizens and wards of the state.

May your predecessors, who were once similarly called, modestly indicate that the same spirit which hovered about Lincoln in his deepest trials and led him forth to duty and to die is also your spirit for the asking, to encourage and inspire in the weeks and years that are to come.

“This I’ll say for the men I know;
 Most of them want to be clean and true;
 In spite of the selfish things they do
 Most of them try, as they come and go,
 To leave some glory for men to view.
 A few turn traitor to God and State,
 But most of the men I know walk straight.”

Senator Kimberly moved that the addresses of welcome and the address of ex-Senator Proudfoot be printed in the Journal. Motion prevailed.

Representative Scott of Fayette county presented the following resolution:

RESOLUTION

Whereas, On Monday noon, February 18, 1935, Rose Marie Boyle, eight years old, fell on the railroad track in the path of an approaching train, and

Whereas, Clarence Steffen, thirteen years old, snatched the little girl from the path of an on-rushing train by pulling her to safety at the peril of his own life, and

Whereas, The Chamber of Commerce of Oelwein, Iowa, has notified the Carnegie committee of the boy’s heroic deed and urged that he be awarded a Carnegie medal for bravery, and

Whereas, Members of the train crew have recommended the award of such a medal to Clarence Steffen, and

Whereas, Clarence Steffen, himself, disclaims any personal vanity resulting from his heroic deed, despite the fact that he grabbed the little girl and jumped back just as the engine of the train thundered by, and

Whereas, The Chamber of Commerce of Oelwein, Iowa, is having a banquet tonight in honor of said Clarence Steffen, now therefore

Be It Resolved by the House of Representatives and the Senate of the State of Iowa: In Joint Session, this twentieth day of February, 1935, that official recognition is hereby given to said Clarence Steffen for his heroic deed, and

Be It Further Resolved: That the Forty-sixth General Assembly be authorized to memorialize the award committee of the Carnegie Institute urging that the medal for bravery be presented to the said Clarence Steffen for his heroic action, and

Be It Further Resolved: That the clerk of the Joint Session be directed

to telegraph the Chamber of Commerce at Oelwein, Iowa, a copy of this Resolution.

Unanimous consent having been granted for its immediate consideration, Scott of Fayette moved its adoption. The motion prevailed and the resolution was adopted.

Senator Geske moved that the joint convention be now dissolved. The motion prevailed and the convention stood dissolved.

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

The Journal of February 19, 1935, was corrected and approved.

Senator Doze was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 117, by Senator Doze, a bill for an act to legalize the action of the county auditor and county board of supervisors of Wayne county, Iowa, in making expenditures and issuing warrants in 1934 against the poor fund of said county; to make said warrants the legal, valid, and binding obligations of said county, and to authorize the county treasurer of said county to pay said warrants out of any funds coming into his hands in 1935 and belonging to the poor fund of said county.

The bill was read first and second times and referred to the committee on judiciary No. 1.

Senate File 118, by committee on federal coordination, a bill for an act to amend sections ninety-one hundred eighty-three (9183) and ninety-two hundred twenty-three (9223), Code, 1931, pertaining to investment of funds and limitation of liabilities of state banks, savings banks and trust companies and authorizing state banks, savings banks and trust companies to make loans pursuant to Titles I and II of the national housing act, or amendments to said act, and to invest in mortgages insured, and in debentures issued, by the federal housing administrator and to invest in securities of national mortgage associations, or similar credit institutions, providing rules of construction, suspending all acts in conflict and providing for act to take effect from and after publication.

The bill was read first and second times and placed on the calendar.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 11 and 36.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files 11 and 36.

REPORTS OF COMMITTEES

Senator Geske submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File 35, a bill for an act to provide for and designate the 12th day of October as a state holiday, naming the same Columbus day, begs leave to report it has had the same under consideration and returns the bill without recommendation.

M. X. GESKE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File 99, a bill for an act to amend section forty-one (41), chapter twenty-four (24), of the acts of the Forty-fifth General Assembly, Extraordinary Session, relating to the purchase, transportation and possession of liquor for personal use, begs leave to report it has had the same under consideration and recommends the same do pass.

M. X. GESKE, *Chairman.*

Ordered passed on file.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 21, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Walter F. Kieker, pastor of the Evangelical Lutheran church, Walnut, Iowa.

The Journal of February 20, 1935, was approved.

HOUSE FILE 152 MESSAGED TO HOUSE

Senator Malone was granted unanimous consent to have House File 152 immediately messaged to the House.

PETITIONS AND MEMORIALS

The following petitions favoring the basic science bill were received and filed to be referred to the committee on public health:

Senator Fisch, from residents of Cherokee county; Senator Beardsley, from residents of Warren county; Senator Mullaney, from residents of Waukon; Senator Goetsch, from residents of Winneshiek county.

The following petitions opposing the basic science bill were received and filed to be referred to the committee on public health:

Senator Goetsch, from residents of Winneshiek county; Senator Hopkins, from residents of Guthrie county; Senator Anderson, from residents of Webster and Calhoun counties; Senator Harrington, from residents of Woodbury county.

The following petitions were received and filed to be referred to the designated committees:

Senator Kimberly, from residents of Scott county, opposing the passage of House File 94. Committee on county and township affairs.

Senator Geske, from nurses of Clayton county, favoring the passage of Senate Files 49 and 50. Committee on public health.

Senator Schmidt, from nurses of Iowa City, favoring the passage of Senate Files 49 and 50. Committee on public health.

Senator Goetsch, from residents of Winneshiek county, in regard to local option on liquor stores or places where beer is sold. Committee on judiciary No. 2.

Senator McArthur, from residents of Franklin county, in regard to local option on liquor stores or places where beer is sold. Committee on judiciary No. 2.

Senator Roelofs, from residents of Hawarden, opposing the tax on the so-called "chain stores" doing business in the state. Committee on cities and towns.

Senator Shaw, from residents of Pocahontas county, favoring the passage of House File 37. Committee on state planning.

Senator Berg, from residents of Morrison, favoring the passage of Senate File 36. Committee on railroads and aeronautics.

INTRODUCTION OF BILLS

Senate File 119, by Senator Doze, a bill for an act to amend section sixty-eight (68), Code, 1931, to provide for the permanent sealing of abandoned coal mines.

The bill was read first and second times and referred to the committee on mines and mining.

Senate File 120, by Senator Stanley, a bill for an act to amend section fifty-six hundred seventeen (5617), Code, 1931, relating to the severance of territory from an incorporated city or town, and providing the procedure therefor.

The bill was read first and second times and referred to the committee on cities and towns.

Senate File 121, by committee on ways and means, a bill for an act to amend chapter three hundred thirty (330), Code, 1931, by amending sections sixty-nine hundred forty-eight (6948) and sixty-nine hundred fifty-one (6951); also, by adding additional sections to said chapter, all relating to exemptions from taxa-

tion, suspension of taxes, and remitting of taxes upon property owned by persons receiving old age assistance.

The bill was read first and second times and placed on the calendar.

Senate File 122, by Senator Mason, a bill for an act to amend section twelve thousand seven hundred seventy-two (12772), Code, 1931, with reference to the time and manner of the securing of the approval of the court as to any investments to be made of trust funds by fiduciaries.

The bill was read first and second times and referred to the committee on judiciary No. 2.

COMMUNICATION RECEIVED FROM THE GOVERNOR

TO THE FORTY-SIXTH GENERAL ASSEMBLY: In accordance with law, I am submitting herewith appropriation bill for the ensuing biennium, prepared by the state comptroller and approved by me.

This measure provides for an expenditure of \$12,997,500 annually and exceeds the appropriations made by the Forty-fifth General Assembly by \$1,153,815 annually. This increase is made necessary by the rise in prices to all state departments of supplies and food stuffs, varying from four (4) per cent to sixty-eight (68) per cent.

No increases have been made affecting compensation paid officers and employees except in a few instances where inequalities existed, or where compensation was fixed by statute. This appropriation bill makes no provision for capital improvement or rebuilding program. Requests from various state boards for capital improvements total \$3,843,056, most of which are extremely essential to the efficient administration of departments under these state boards.

In the complete budget report now upon your desks will be found a list of improvements requested by these various state departments, some of which at least must be made during the coming two years. If appropriations are granted to provide for any of these improvements, additional state revenues to provide for them must also be made.

I shall submit to the proper committees of the legislature immediately upon receipt from the President, his program for supplying federal funds to match state funds necessary to sustain general welfare activities. It is hoped this program will include some provision for increased capital improvements which are a necessary part of this general welfare plan. Our citizens need employment and our institutions require additional facilities; therefore, every justified effort should be made to meet these conditions.

Respectfully submitted,

CLYDE L. HERRING, *Governor.*

February 21, 1935.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had signed Senate File 65 on February 19, 1935, and Senate File 59 on February 20, 1935.

CONSIDERATION OF SENATE FILE 85 RESUMED

The proper time having arrived, Senate File 85, a bill for an act to prohibit the passing out, posting or distributing of campaign cards, folders, literature, bills or posters pertaining to the candidacy of any candidate for any political office, on the day of any general, primary, city or school election, was again taken up and considered.

The bill was read for information.

Consideration of the following pending Calhoun amendment was resumed:

Amend Senate File 85 by inserting at the end of line 4 of section one (1) the following: "to speak over the radio,".

Senator Roelofs moved to amend the Calhoun amendment, in line 4 of section one (1) of Senate File 85, by inserting after the word "radio" the following: "or telephone and loud-speaking devices,".

Senator Irwin moved as a substitute for all pending amendments that the enacting clause be stricken.

Senator Calhoun raised the point of order that such a motion was not proper as a substitute.

By unanimous consent, Senator Irwin withdrew his substitute motion.

Senator Irwin moved that Senate File 85 and its pending amendments be laid on the table.

The question was, Shall the bill and its pending amendments be laid on the table?

Roll call was requested.

On the question, Shall the bill and its pending amendments be laid on the table? the vote was:

Ayes, 13:

Baldwin	Corwin	Irwin	Patterson
Bell of	Driscoll	Meyer	Stanley
Des Moines	Geske	Moore	Schmidt
Billingsley	Goetsch		

Nays, 30:

Anderson	Donohue	Kimberly	Parker
Beardsley	Doze	Malone	Pendray
Bell of	Elthon	Mason	Roelofs
Crawford	Fisch	McArthur	Shangle
Berg	Grunewald	Miller	Shaw
Calhoun	Hopkins	Millhone	Stevens of
Chrystal	Hush	Mullaney	Decatur
Dewey	Husted	Nelson	Wilson

Absent or not voting, 7:

Aschenbrenner	Harrington	Reese	Valentine
Byers	Knudson	Stevens of Wapello	

The motion to lay on the table was lost.

Senator Calhoun was granted unanimous consent to incorporate the amendment of Senator Roelofs in his amendment.

The Calhoun amendment, as amended, was adopted.

Senator Anderson offered the following amendment and moved its adoption:

Amend Senate File 85 in section one (1), line 6, by inserting after the word "person" the words "at the polls."

The motion to amend was lost.

Senator Calhoun moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

Senator Calhoun offered the following amendment and moved its adoption:

Amend the title to Senate File 85 by inserting after the word "prohibit" in line 1, the following: "to speak over the radio, telephone or loud-speaking devices."

Senator Beardsley raised the point of order that discussion on the bill was out of order inasmuch as the bill had been placed on its passage. The chair sustained the point.

The Calhoun amendment to the title of Senate File 85 was adopted.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 27:

Beardsley	Elthon	Malone	Parker
Bell of	Fisch	Mason	Pendray
Crawford	Grunewald	McArthur	Shangle
Berg	Hopkins	Miller	Shaw
Calhoun	Hush	Millhone	Stevens of
Dewey	Husted	Moore	Decatur
Donohue	Kimberly	Nelson	Wilson
Doze			

Nays, 19:

Anderson	Chrystal	Irwin	Schmidt
Aschenbrenner	Corwin	Meyer	Stanley
Baldwin	Driscoll	Mullaney	Stevens of
Billingsley	Geske	Patterson	Wapello
Byers	Goetsch	Roelofs	Valentine

Absent or not voting, 4:

Bell of	Harrington	Knudson	Reese
Des Moines			

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

Senator Calhoun moved that the vote by which Senate File 85 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Shangle asked unanimous consent to suspend the rules and Senate File 85 be messaged to the House immediately. Objections were raised and the request was denied.

By unanimous consent granted Senator Valentine, the rules were suspended and Senate File 118, a bill for an act to amend sections ninety-one hundred eighty-three (9183) and ninety-two hundred twenty-three (9223), Code, 1931, pertaining to investment of funds and limitation of liabilities of state banks, savings banks and trust companies and authorizing state banks, savings banks and trust companies to make loans pursuant to Titles I and II of the national housing act, or amendments to said act, and to invest in mortgages insured, and in debentures issued, by the federal housing administrator and to invest in securities of national mortgage associations, or similar credit institutions, providing rules of construction, suspending all acts in conflict and providing for act to take effect from and after publication, was taken up and considered.

Senator Valentine offered the following amendment and moved its adoption:

Amend the title to Senate File 118 by striking the words "suspending all acts in conflict and" in line 12 and inserting in lieu thereof the following: "providing that existing laws regarding security, interest rates, or maturity shall not apply to loans or investments authorized hereunder, and further."

The motion prevailed and the amendment was adopted.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 42:

Anderson	Corwin	Kimberly	Parker
Aschenbrenner	Dewey	Knudson	Pendray
Baldwin	Donohue	Malone	Roelofs
Beardsley	Doze	Mason	Shangle
Bell of	Elthon	McArthur	Shaw
Crawford	Fisch	Meyer	Stanley
Bell of	Geske	Miller	Stevens of
Des Moines	Goetsch	Millhone	Decatur
Berg	Grunewald	Moore	Stevens of
Billingsley	Harrington	Mullaney	Wapello
Calhoun	Hush	Nelson	Valentine
Chrystal	Irwin		

Nays, 2:

Hopkins Husted

Absent or not voting, 6:

Byers	Patterson	Schmidt	Wilson
Driscoll	Reese		

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

Senator Valentine moved that the vote by which Senate File 118 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Valentine obtained unanimous consent to suspend the rules and have Senate File 118 messaged to the House immediately.

ACTION ON SENATE FILE 47 DEFERRED

By unanimous consent granted Senator Valentine, action on

Senate File 47 was deferred and the bill was ordered to retain its place on the calendar.

THIRD READING OF BILLS

House File 20, a bill for an act to legalize certain tax deeds issued without compliance with the requirements of section seventy-two hundred eighty-three (7283) of the Code, 1931, and corresponding sections of earlier codes, relating to collections of costs of serving notice, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend House File 20 by changing the period at the end of section two (2) to a comma, and adding the following: "without expense to the state."

The bill was read for information.

Senator Calhoun moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 43:

Anderson	Donohue	Kimberly	Reese
Aschenbrenner	Doze	Knudson	Roelofs
Baldwin	Driscoll	Mason	Shangle
Bell of	Elthon	McArthur	Shaw
Crawford	Fisch	Meyer	Stanley
Bell of	Geske	Miller	Stevens of
Des Moines	Goetsch	Millhone	Decatur
Berg	Grunewald	Moore	Stevens of
Billingsley	Hopkins	Mullaney	Wapello
Calhoun	Hush	Parker	Valentine
Corwin	Husted	Patterson	Wilson
Dewey	Irwin	Pendray	

Nays, none.

Absent or not voting, 7:

Beardsley	Chrystal	Malone	Schmidt
Byers	Harrington	Nelson	

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

Senator Calhoun moved that the vote by which House File 20

passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent granted Senator Calhoun, House File 20 was ordered messaged to the House immediately.

DELEGATE APPOINTED

Under authority of House Concurrent Resolution 11, I hereby appoint Senator Roelofs as delegate to the Second Interstate Assembly.

N. G. KRASCHEL, *President of the Senate.*

On motion of Senator Meyer the Senate resolved itself into executive session.

EXECUTIVE SESSION

The Senate confirmed the appointment of Fred P. Hagemann as a member of the highway commission to fill the unexpired term of H. A. Maine, ending June 30, 1937.

The Senate arose from executive session and resumed regular session.

Senator Hopkins was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 123, by Senator Hopkins (Avery), a bill for an act to define handicapped children; to provide special school facilities, home and bedside instruction for said children; to provide for state aid and for the administration of this act; to repeal sections forty-two hundred thirty-five (4235), forty-three hundred twelve (4312), Code, 1931, relating to school census and to enact substitutes therefor; and to amend sections forty-three hundred thirteen (4313), Code, 1931, as it relates to school census.

The bill was read first and second times and referred to the committee on public schools.

Senate File 124, by Senator Stevens of Wapello (by request), a bill for an act to establish the general fund for the state of Iowa, for the biennium beginning July 1, 1935, and ending June 30, 1937, and to appropriate therefrom for all departments and various divisions thereof, of the state of Iowa, for all purposes provided by law, for the said biennium.

The bill was read first and second times and referred to the committee on appropriations.

Senate File 125, by Senator Fisch, a bill for an act to restore the corporate status of the Akron Domestic Local Building and Loan Association of Akron, Iowa, and to legalize the corporate acts of the directors and officers thereof.

The bill was read first and second times and referred to the committee on judiciary No. 1.

RESIGNATION OF COMMITTEE CLERK

February 20, 1935.

I hereby tender my resignation as committee clerk to Senator I. G. Chrystal, to take effect immediately.

CARROLL WHITE.

The resignation was accepted.

N. G. KRASCHEL, *President*.

REPORTS OF COMMITTEES

Senator Driscoll submitted the following report:

MR. PRESIDENT: Your committee on fish and game to which was referred House File 28, a bill for an act to amend section ten (10) of chapter thirty (30), acts of the Forty-fifth General Assembly, Regular Session, as amended by chapter twenty (20), acts of the Forty-fifth General Assembly, Extraordinary Session, relating to the license fees for hunting and fishing, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend section ten (10) of chapter thirty (30), acts of the Forty-fifth General Assembly, Regular Session, by striking all of chapter twenty (20), acts of the Forty-fifth General Assembly, Extraordinary Session, and substituting in lieu thereof the following:

"Fishing licenses:

All persons legal residents of the state, except otherwise provided.....\$1.00

"Hunting licenses:

All persons legal residents of the state, except otherwise provided.....\$1.00

"Hunting and fishing combined licenses:

All persons legal residents of the state, except otherwise provided....\$1.50."

T. F. DRISCOLL, *Chairman*.

Ordered passed on file.

Senator Moore submitted the following report:

MR. PRESIDENT: Your committee on public health to which was referred Senate File 49, a bill for an act to amend section twenty-four hundred fifty-five (2455), Code, 1931, relating to certain limitations placed on members of examining boards of certain professions, to remove said limitations as same apply to nurse examiners, begs leave to report it has had the same under consideration and recommends the same do pass.

M. MOORE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public health to which was referred Senate File 50, a bill for an act to amend sections twenty-four hundred fifty-one (2451), twenty-four hundred fifty-six (2456), twenty-four hundred fifty-seven (2457), Code, 1931, relating to nurse examiners, and to amend chapter one hundred fifteen (115), Code, 1931, by prescribing certain powers and duties of nurse examiners and their secretary; and to provide for a special fund to administer this act, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

By striking in line 20 of the title, the words, "a portion of", and

By striking out all that portion of section seven (7) commencing with the words, "The treasurer" in line 14 and ending with the word "hereinbefore" in line 32 and substituting in lieu thereof the following:

"All such fees collected and remitted shall be placed in a special fund by the treasurer of state and the state comptroller to be known as the 'nurses' fund,' to be used by the board to administer and enforce the laws relating to the practice of nursing, to elevate the standards of schools of nursing, and to promote the educational and professional standards of nurses and nursing in this state, and no part of such expense shall be paid out of the state treasury. Any remainder in said fund at the end of each fiscal year, after all expense in carrying out the provisions of this act have been paid, or a sum sufficient for payment thereof set apart, shall be paid into the general fund of the state."

M. MOORE, *Chairman.*

Ordered passed on file.

Senator Pendray submitted the following report:

MR. PRESIDENT: Your committee on public schools to which was referred Senate File 80, a bill for an act to amend chapter forty-one (41), acts Extra Session Forty-fifth General Assembly relating to high school tuition and transportation so as to provide for determining the cost of transportation; to prohibit special privileges to non-resident high school pupils at the expense of the district without reimbursement; to provide the penalty for a violation and the method of enforcement, begs leave to report it has had the same under consideration and recommends the same do pass.

CAROLYN C. PENDRAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public schools to which was referred House File 115, a bill for an act to repeal sections four thousand four hundred forty-one (4441) to four thousand four hundred forty-five (4445) inclusive, Code, 1931, relating to state aid for certain school activities, begs leave to report it has had the same under consideration and recommends the same do pass.

CAROLYN C. PENDRAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public schools to which was referred House File 125, a bill for an act to amend section seven thousand four hundred twenty-d eight (7420-d8), Code, 1931, relating to the liability of officers who make deposits of public funds in accordance with chapter three hundred fifty-two-d one (352-d1), Code, 1931, begs leave to report it has had the same under consideration and recommends the same do pass.

CAROLYN C. PENDRAY, *Chairman.*

Ordered passed on file.

Senator Malone submitted the following report:

MR. PRESIDENT: Your committee on emergency legislation to which was referred House Concurrent Resolution 7, memorializing the Congress of the United States to amend the rules and regulations of making loans by the federal land bank, begs leave to report it has had the same under consideration and recommends that the following concurrent resolution be substituted for House Concurrent Resolution 7; and when said substitution is made that the resolution as substituted be adopted:

Substitute for House Concurrent Resolution 7, by Taylor of Mahaska.

Memorializing the Congress of the United States to amend the rules and regulations of making loans by the federal land bank of Omaha, Nebraska.

Whereas, The federal land bank of Omaha, Nebraska, under its present rules and regulations, has refused to make loans on lands which are located in drainage districts where the lands situated therein are subject to special assessment for the drainage system installed in the said districts, and have also refused to make loans on lands which have been established as permanent pasture land, and

Whereas, Due to the said rules and regulations there are numerous farmers located in the said districts who are in financial distress at the present time, and are unable to get financial aid, and

Whereas, The said lands on which the said federal land bank of Omaha, Nebraska, has refused to make loans under its rules and regulations, are valuable, tillable lands, and taxed on the same basis as other lands located in the state of Iowa.

Be It Resolved by the House of Representatives, State of Iowa, the Senate of the State of Iowa concurring: That we petition and pray the Congress of the United States to amend the law relating to loans made by the federal land bank of Omaha, Nebraska, and to liberalize the rules and regulations of the said federal land bank so that the owners of land as enumerated in this resolution may receive the same advantages as owners of other Iowa farm lands, and

Be It Further Resolved: That the Chief Clerk of the House be and he is on the passage of this resolution directed to forward a printed copy of this memorial resolution to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, at Washington, D. C.

C. E. MALONE, *Chairman.*

Ordered passed on file.

MOTION FILED

MR. PRESIDENT: I move to take from the table the motion to reconsider the vote by which Senate File 85 passed the Senate. M. MOORE.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 22, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Rev. R. V. Hughes, pastor of the Morgan Valley Christian church, Prairie City, Iowa, offered prayer.

The Journal of February 21, 1935, was approved.

PETITIONS AND MEMORIALS

The following petitions favoring the basic science bill were received and filed, to be referred to the committee on public health:

Senator Knudson, from residents of Hardin and Wright counties; Senator Beardsley, from residents of Warren county.

The following petitions opposing the basic science bill were received and filed, to be referred to the committee on public health:

Senator Knudson, from residents of Wright, Hamilton and Hardin counties.

The following petitions favoring the passage of Senate Files 49 and 50 were received and filed, to be referred to the committee on public health:

Senator Kimberly, from residents of Scott county; Senator Schmidt, from residents of Johnson and Iowa counties; Senator Baldwin, from residents of Dubuque county.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Fisch for the day, on request of Senator McArthur; Senator Driscoll for the day, on request of Senator McArthur; Senator Harrington for the day, on request of Senator Valentine.

INTRODUCTION OF BILLS

Senate File 126, by Senator Wilson, a bill for an act to legalize the proceedings of the governing bodies of certain cities, includ-

ing cities acting under special charter, relating to written agreements evidencing and acknowledging the obligations of said cities to certain active and/or retired firemen and/or policemen, and to declare that said proceedings, or written certificates evidencing the same, constitute competent and conclusive evidence as to the obligations therein agreed to by each said city.

The bill was read first and second times and referred to the committee on cities and towns.

Senate File 127, by Senator Wilson, a bill for an act to create in the Department of Labor, a division devoted to the deaf and the hard of hearing.

The bill was read first and second times and referred to the committee on labor.

Senate File 128, by Senator Wilson, a bill for an act to amend section sixty-two hundred thirty-eight (6238) of the Code of Iowa insofar as relates to indebtedness of counties for poor relief purposes.

The bill was read first and second times and referred to the committee on county and township affairs.

SENATE FILE 28 PLACED ON CALENDAR

Senator Elthon was granted unanimous consent to have Senate File 28 withdrawn from the committee on judiciary No. 1, and placed on the calendar.

PUBLIC HEARING ANNOUNCED

Senator Pendray was granted unanimous consent to hold a public hearing in the Senate Chamber on Wednesday afternoon, March 6th, on the proposed constitutional amendment providing for a one-house legislature. The debating teams of the Iowa State College at Ames and the Normal School of Kirksville, Missouri, will debate the proposed amendment.

SENATE FILES 74 AND 84 WITHDRAWN

Senator Hopkins was granted unanimous consent to withdraw Senate Files 74 and 84 from further consideration by the Senate.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 152.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House File 152.

THIRD READING OF BILLS

House File 19, an act to amend section eleven thousand seven hundred sixty (11760), Code, 1931, providing for the addition of radio receiving set to general exemptions, with report of committee recommending indefinite postponement, was taken up and considered.

On motion of Senator Kimberly action was temporarily deferred on House File 19 until Senator Reese might appear in the Senate Chamber.

SENATE FILE 56 WITHDRAWN

By unanimous consent, Senator Shangle withdrew Senate File 56 from further consideration by the Senate.

ACTION ON SENATE FILES DEFERRED

Senator Wilson moved that inasmuch as the author of Senate File 64, Senator Schmidt, was not present, the rules be suspended, action deferred and the bill be ordered to retain its place on the calendar, which motion prevailed.

Senator Shangle was granted unanimous consent that the rules be suspended, action deferred on Senate File 68 and the bill be ordered to retain its place on the calendar.

By unanimous consent granted Senator Valentine, action on Senate File 47 was deferred and the bill was ordered to retain its place on the calendar.

THIRD READING OF BILLS

House File 46, a bill for an act to legalize the corporate acts and proceedings of The Ledyard Co-operative Creamery Company, Ledyard, Iowa, and to provide for the renewal and extension of the period of corporate existence of said company, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Patterson moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 40:

Anderson	Dewey	McArthur	Roelofs
Aschenbrenner	Donohue	Meyer	Shangle
Baldwin	Doze	Miller	Shaw
Beardsley	Elthon	Millhone	Stanley
Bell of	Grunewald	Moore	Stevens of
Des Moines	Hopkins	Mullaney	Decatur
Berg	Hush	Nelson	Stevens of
Billingsley	Husted	Parker	Wapello
Byers	Kimberly	Patterson	Valentine
Calhoun	Knudson	Pendray	Wilson
Corwin	Malone	Reese	

Nays, none.

Absent or not voting, 10:

Bell of Crawford	Fisch	Harrington	Mason
Chrystal	Geske	Irwin	Schmidt
Driscoll	Goetsch		

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

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

House File 20, a bill for an act to legalize certain tax deeds.

VIRGIL LEKIN, *Chief Clerk.*

THIRD READING OF BILLS

Senate File 15, a bill for an act to amend section thirty (30), chapter fifty-six (56), acts of the Forty-fifth General Assembly in Extraordinary Session relating to permits for refund of motor vehicle fuel license fees, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hush moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 38:

Anderson	Donohue	Malone	Reese
Aschenbrenner	Doze	McArthur	Roelofs
Baldwin	Elthon	Meyer	Shangle
Beardsley	Goetsch	Miller	Shaw
Berg	Grunewald	Millhone	Stanley
Billingsley	Hopkins	Moore	Stevens of
Calhoun	Hush	Mullaney	Wapello
Chrystal	Husted	Parker	Valentine
Corwin	Kimberly	Patterson	Wilson
Dewey	Knudson	Pendray	

Nays, none.

Absent or not voting, 12:

Bell of Crawford	Driscoll	Irwin	Schmidt
Bell of Des Moines	Fisch	Mason	Stevens of
Byers	Geske	Nelson	Decatur
	Harrington		

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

Senator Hush moved that the vote by which Senate File 15 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate File 52, a bill for an act to amend section thirteen thousand eight (13008), Code, 1931, relating to larceny at night, with report of committee without recommendations, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stanley moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 35:

Anderson	Dewey	Meyer	Roelofs
Baldwin	Doze	Miller	Shangle
Bell of	Elthon	Millhone	Shaw
Des Moines	Grunewald	Moore	Stanley
Berg	Hush	Mullaney	Stevens of
Billingsley	Kimberly	Parker	Decatur
Byers	Knudson	Patterson	Stevens of
Calhoun	Malone	Pendray	Wapello
Chrystal	Mason	Reese	Valentine
Corwin	McArthur		

Nays, none.

Absent or not voting, 15:

Aschenbrenner	Driscoll	Harrington	Nelson
Beardsley	Fisch	Hopkins	Schmidt
Bell of Crawford	Geske	Husted	Wilson
Donohue	Goetsch	Irwin	

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

Senator Stanley moved that the vote by which Senate File 52 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

CONSIDERATION OF HOUSE FILE 19 RESUMED

Senator Reese moved that the report of the committee, recommending indefinite postponement of House File 19, a bill for an act to amend section eleven thousand seven hundred sixty (11760), Code, 1931, providing for the addition of radio receiving set to general exemptions, be adopted. The motion prevailed and the report was adopted.

SENATE FILE 8 WITHDRAWN

By unanimous consent granted Senator Reese, Senate File 8 was withdrawn from further consideration by the Senate.

THIRD READING OF BILLS

House File 113, a bill for an act to amend section thirty-two hundred forty-four-b six (3244-b6), Code, 1931, as amended by the extra session of the Forty-fifth General Assembly, chapter thirty-five (35), relating to the power of the secretary of agricul-

ture to make rules and regulations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Roelofs moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 38:

Anderson	Dewey	Malone	Pendray
Baldwin	Doze	Mason	Reese
Beardsley	Elthon	Meyer	Roelofs
Bell of	Geske	Miller	Shangle
Des Moines	Goetsch	Millhone	Shaw
Berg	Grunewald	Moore	Stanley
Billingsley	Hopkins	Mullaney	Stevens of
Calhoun	Hush	Nelson	Wapello
Chrystal	Kimberly	Parker	Valentine
Corwin	Knudson	Patterson	Wilson

Nays, none.

Absent or not voting, 12:

Aschenbrenner	Driscoll	Husted	Schmidt
Bell of Crawford	Fisch	Irwin	Stevens of
Byers	Harrington	McArthur	Decatur
Donohue			

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

REPORT OF COMMITTEE ON COMMITTEE CLERKS

MR. PRESIDENT: Your committee on committee clerks has assigned Dorothy Conlin as clerk to Senator I. G. Chrystal.

PAUL ANDERSON.

JAMES M. BELL.

WM. S. BEARDSLEY.

Passed on file.

COMMITTEE CLERK SWORN IN

Dorothy Conlin appeared before the bar of the Senate and took the required oath of office as committee clerk for Senator I. G. Chrystal.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun 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 20.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House File 20.

Senator Baldwin was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 129, by Senator Baldwin, a bill for an act authorizing the issue of a patent to the south half of the northeast one-fourth ($\frac{1}{4}$), of section twenty-three (23), township eighty-eight (88), north, range one (1), east of fifth (5th), P. M., Dubuque county, Iowa.

The bill was read first and second times and referred to the committee on judiciary No. 1.

Senate File 130, by Senator McArthur (Knudson), a bill for an act to amend section seventy-five hundred eighty-three (7583) of the Code, 1931, relating to the payment of preliminary expenses in drainage districts.

The bill was read first and second times and referred to the committee on drainage.

Senate File 131, by Senators Elthon, Roelofs, Pendray and Anderson, a bill for an act to repeal chapter one hundred thirty-eight (138), title LX of the Code of 1931, relating to farm aid associations, and to enact a substitute therefor relating to educational work for improving and advancing agriculture, home economics, and junior extension work in rural communities, and rural adult education in each county; and to provide county appropriation for conducting such educational work.

The bill was read first and second times and referred to the committee on agriculture.

THIRD READING OF BILLS

House File 114, a bill for an act to amend section three hundred forty-two (342), Code, 1931, relating to reports to be made by the auditor of state, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Roelofs moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 37:

Anderson	Calhoun	Hopkins	Moore
Aschenbrenner	Chrystal	Hush	Mullaney
Baldwin	Corwin	Husted	Parker
Beardsley	Dewey	Kimberly	Patterson
Bell of Crawford	Donohue	Knudson	Pendray
Bell of	Doze	Mason	Reese
Des Moines	Elthon	Meyer	Roelofs
Berg	Geske	Miller	Stanley
Billingsley	Goetsch	Millhone	Wilson
Byers	Grunewald		

Nays, none.

Absent or not voting, 13:

Driscoll	McArthur	Shangle	Stevens of
Fisch	Malone	Shaw	Wapello
Harrington	Nelson	Stevens of	Valentine
Irwin	Schmidt	Decatur	

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

ACTION ON HOUSE FILE 17 DEFERRED

By unanimous consent granted Senator Wilson, action on House File 17 was deferred and the bill was ordered to retain its place on the calendar.

ACTION ON SENATE FILE 35 DEFERRED

By unanimous consent granted Senator Baldwin, action on Senate File 35 was deferred and the bill was ordered to retain its place on the calendar.

THIRD READING OF BILLS

Senate File 66, a bill for an act to amend paragraph five (5), section ten hundred sixty-three (1063) of the Code, 1931, relating to the amount of the bond to be furnished by each treasurer of a state educational institution under the supervision and control of the Iowa state board of education, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Nelson moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 39:

Anderson	Dewey	Irwin	Nelson
Aschenbrenner	Donohue	Kimberly	Parker
Baldwin	Doze	Knudson	Patterson
Beardsley	Elthon	Malone	Pendray
Bell of Crawford	Geske	Mason	Reese
Berg	Goetsch	Meyer	Shangle
Billingsley	Grunewald	Miller	Shaw
Byers	Hopkins	Millhone	Valentine
Calhoun	Hush	Moore	Wilson
Corwin	Husted	Mullaney	

Nays, none.

Absent or not voting, 11:

Bell of	Fisch	Roelofs	Stevens of
Des Moines	Harrington	Schmidt	Decatur
Chrystal	McArthur	Stanley	Stevens of
Driscoll			Wapello

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

Senate File 70, a bill for an act to amend section four thousand seventy-two (4072), of the Code, 1931, relating to the date on which the superintendent of the Iowa school for the deaf shall make certain reports to the state comptroller, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Grunewald moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 42:

Anderson	Donohue	Knudson	Parker
Aschenbrenner	Doze	Malone	Patterson
Baldwin	Elthon	Mason	Pendray
Beardsley	Geske	McArthur	Reese
Bell of Crawford	Goetsch	Meyer	Roelofs
Berg	Grunewald	Miller	Shangle
Billingsley	Hopkins	Millhone	Shaw
Byers	Hush	Moore	Stanley
Calhoun	Husted	Mullaney	Valentine
Corwin	Irwin	Nelson	Wilson
Dewey	Kimberly		

Nays, none.

Absent or not voting, 8:

Bell of	Driscoll	Schmidt	Stevens of
Des Moines	Fisch	Stevens of	Wapello
Chrystal	Harrington	Decatur	

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

Senator Grunewald moved that the vote by which Senate File 70 passed the Senate be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

Senate File 72, a bill for an act to amend section thirty-nine hundred twenty-six (3926) of the Code, 1931, relating to the loaning of funds belonging to the institutions that are under the provision and control of the Iowa state board of education, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator McArthur moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 43:

Anderson	Corwin	Irwin	Nelson
Aschenbrenner	Dewey	Kimberly	Parker
Baldwin	Donohue	Knudson	Patterson
Beardsley	Doze	Malone	Pendray
Bell of Crawford	Elthon	Mason	Reese
Bell of	Geske	McArthur	Roelofs
Des Moines	Goetsch	Meyer	Shangle
Berg	Grunewald	Miller	Shaw
Billingsley	Hopkins	Millhone	Stanley
Calhoun	Hush	Moore	Valentine
Chrystal	Husted	Mullaney	Wilson

Nays, none.

Absent or not voting, 7:

Byers	Harrington	Stevens of	Stevens of
Driscoll	Schmidt	Decatur	Wapello
Fisch			

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

Senate File 99, a bill for an act to amend section forty-one (41), chapter twenty-four (24), of the acts of the Forty-fifth General Assembly, Extraordinary Session, relating to the purchase, transportation and possession of liquor for personal use, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

By unanimous consent granted Senator Patterson, action on Senate File 99 was deferred and the bill was ordered to retain its place on the calendar.

HOUSE CONCURRENT RESOLUTION 7 CONSIDERED

Senator Malone was granted unanimous consent to return to the order of resolutions.

House Concurrent Resolution 7, as found on page 203 of the Senate Journal, with report of committee recommending substitution and passage, was taken up and considered.

The following committee substitute for House Concurrent Resolution 7 was adopted:

"Memorializing the Congress of the United States to amend the rules and regulations of making loans by the federal land bank of Omaha, Nebraska.

Whereas, The federal land bank of Omaha, Nebraska, under its present rules and regulations, has refused to make loans on lands which are located in drainage districts where the lands situated therein are subject

to special assessment for the drainage system installed in the said districts, and have also refused to make loans on lands which have been established as permanent pasture land, and

Whereas, Due to the said rules and regulations there are numerous farmers located in the said districts who are in financial distress at the present time, and are unable to get financial aid, and

Whereas, The said lands on which the said federal land bank of Omaha, Nebraska, has refused to make loans under its rules and regulations, are valuable, tillable lands, and taxed on the same basis as other lands located in the state of Iowa.

Be It Resolved by the House of Representatives, State of Iowa, the Senate of the State of Iowa concurring: That we petition and pray the Congress of the United States to amend the law relating to loans made by the federal land bank of Omaha, Nebraska, and to liberalize the rules and regulations of the said federal land bank so that the owners of land as enumerated in this resolution may receive the same advantages as owners of other Iowa farm lands, and

Be It Further Resolved: That the Chief Clerk of the House be and he is on the passage of this resolution directed to forward a printed copy of this memorial resolution to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, at Washington, D. C."

House Concurrent Resolution 7, as substituted, was adopted.

THIRD READING OF BILLS

Senate File 107, a bill for an act to defray the expenses of the election contest in the eighteenth (18) senatorial district, comprising Cass and Shelby counties, between Frank Pelzer contestant, and C. E. Malone, incumbent, was taken up and considered.

The bill was read for information.

Senator Stevens of Wapello moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 32:

Anderson	Chrystal	Irwin	Patterson
Aschenbrenner	Corwin	Kimberly	Reese
Bell of Crawford	Dewey	Knudson	Roelofs
Bell of	Donohue	Malone	Shaw
Des Moines	Doze	Meyer	Stanley
Berg	Geske	Millhone	Stevens of
Billingsley	Grunewald	Nelson	Wapello
Byers	Hopkins	Parker	Valentine
Calhoun	Hush		

Nays, 8:

Beardsley
Goetsch

Mason
Miller

Mullaney
Pendray

Shangle
Wilson .

Absent or not voting, 10:

Baldwin
Driscoll
Elthon

Fisch
Harrington
Husted

McArthur
Moore
Schmidt

Stevens of
Decatur

The bill having failed to receive a two-thirds majority was declared to have failed to pass the Senate.

Senate File 108, a bill for an act to legalize the compensation paid as salaries to public officials under the provisions of chapter eighty-nine (89) of the acts of the Forty-fifth General Assembly, was taken up and considered.

The bill was read for information.

Senator Roelofs was granted unanimous consent to defer action on Senate File 108 and it was ordered to retain its place on the calendar.

ACTION ON SENATE FILE 112 DEFERRED

By unanimous consent granted Senator Wilson, action on Senate File 112 was deferred and the bill was ordered to retain its place on the calendar.

Senator Hopkins was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 132, by Senators Hopkins, Husted and Beardsley, a bill for an act to amend chapter seven (7) and to repeal chapter eight (8), acts of Forty-fifth General Assembly, relating to the auditing of financial records of counties, schools, townships, cities, including cities under special charter, and other municipalities.

The bill was read first and second times and referred to the committee on public schools.

Senate File 133, by committee on manufacturing, commerce and trade, a bill for an act to repeal chapter fifty (50), acts of the Forty-fifth General Assembly, and to enact a substitute therefor, prohibiting the sale in Iowa of all prison made goods produced by convict labor, and provide a penalty for a violation thereof.

The bill was read first and second times and placed on the calendar.

Senate File 134, by Senator Donohue, a bill for an act to amend section three thousand two hundred sixty (3260), Code of Iowa, 1931, relating to the amount of the annual license fee to be charged for the operation of penny automatic weighing machines.

The bill was read first and second times and referred to the committee on ways and means.

Senate File 135, by Senator Chrystal, a bill for an act to amend section four thousand seven hundred fifty-five-b four (4755-b4), chapter two hundred forty-one-B one (241-B1), Code, 1931, relating to disbursement of primary road fund.

The bill was read first and second times and referred to the committee on highways.

On motion of Senator Roelofs the Senate stood at ease until the fall of the gavel.

At the fall of the gavel, the Senate came to order.

Senator Roelofs was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 136, by committee on county and township affairs, a bill for an act to provide for the disposal of balances from local tax levies remaining in the primary road bond and interest redemption fund in any county.

The bill was read first and second times and placed on the calendar.

COPIES OF SENATE FILES ORDERED

Senator Dewey was granted unanimous consent to have 1200 copies of Senate File 115 ordered printed.

Senator Wilson was granted unanimous consent to have 1200 copies of Senate File 112 ordered printed.

REPORT OF COMMITTEE

Senator Mullaney submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File 19, a bill for an act to amend section one (1) of chapter thirty-four (34), acts of the Extra Session of the Forty-fifth General Assembly, relating to noxious weeds, begs leave to report it has had the same under consideration and recommends the same do pass.

T. W. MULLANEY, *Chairman.*

Ordered passed on file.

MOTION FILED

MR. PRESIDENT: I move to reconsider the vote by which Senate File 107 failed to pass the Senate.

GEO. A. WILSON.

AMENDMENTS FILED

The committee on ways and means offers the following amendment to Senate File 121.

Amend section one (1) by adding as an additional paragraph the following:

"The provisions of this section shall also apply to the property of applicants for old age assistance who are eligible under the provisions of chapter nineteen (19) acts of the Forty-fifth General Assembly in Extraordinary Session, to receive old age assistance but who for the insufficiency of the old age pension fund are not receiving monthly or quarterly payments of assistance from said fund."

Further amend said section one (1) by striking from line 14 the second word "assistance" where it appears in said line, and inserting in lieu thereof the word "pension."

Amend section four (4) by adding as an additional paragraph the following:

"The provisions of this section shall also apply to the property of applicants for old age assistance who are eligible under the provisions of chapter nineteen (19) acts of the Forty-fifth General Assembly in Extraordinary Session, to receive old age assistance but who for the insufficiency of the old age pension fund are not receiving monthly or quarterly payments of assistance from said fund."

D. W. KIMBERLY, *Chairman.*

Amend Senate File 115, as follows:

1. Amend section one (1), line 2, by striking the words and figure "five (5) members," and by inserting in lieu thereof the words and figure "six (6) members,".
2. Further amend section one (1), line 3, by striking the words "the Senate" and by inserting in lieu thereof the words "two-thirds of the Senate in executive session,".
3. Further amend section one (1), line 4, by adding after the word

"party.", the words "and not more than one man be from any one congressional district."

4. Further amend section one (1), line 13, by striking the words "the Senate", and inserting in lieu thereof, "two-thirds of the Senate in executive session".

5. Further amend section one (1), line 14, by inserting after the period in line 14, as a new sentence the following: "Provided, however, that in the appointment of the first conservation commission after the enactment of this law, the Governor shall appoint to such commission at least two members of the present board of conservation, and two members of the present fish and game commission."

6. Amend section eight (8), line 10, by adding after the word "custodians", the words, "of biological life, waters and of state parks.", and amend further by striking the words "of state parks.", in line 11.

7. Amend section one (1), by inserting in line 15, after the word "and" as it appears the second time, the word "substantial." Further amend said section by striking the word "conservation" in line 16, and inserting in lieu thereof the following: "subjects covered by this act."

8. Amend section two (2), line 3, by inserting after the word "successor", the words, "who shall have the same qualifications as provided for in the preceding section."

9. Amend section seven (7), by striking the word "special" in line 5, and inserting in lieu thereof the words, "substantial", and further amend by striking the words, "the interest in conservation work", and inserting in lieu thereof the words, "and interest in all subjects covered in this act."

10. Amend section seven (7), by inserting after the words, "assistant director," in line 9, the words "who shall also have knowledge of and interest in all subjects covered in this act,".

11. Further amend section seven (7), in line 15, by inserting after the word "regulations", the words "in filling the appointive positions under this act no appointee shall be related in the first, second or third degree to anyone of the commissioners, director or assistant director."

12. Further amend section seven (7), line 24, by striking the words "and other", and in line 25 after the word "of", insert the word "their."

13. Amend section eight (8), by inserting after the period in line 11, the following as a new sentence, "The commission shall employ no persons as deputy wardens until they have satisfactorily passed a competitive examination, and all other things being equal only those of highest rank in the examination shall be so employed."

14. Amend section fourteen (14), line 1, by striking the word "and", and in lieu thereof by inserting a comma, and further amend section fourteen (14), line 2, by adding after the word "commission", the words "and state foresters."

15. Further amend section eight (8), line 15, by striking the words "and other", and insert after the word "of" in line 16, the word "their."

16. Amend section nine (9), line 2, by striking the words "biological survey", and inserting the word "biology."

17. Further amend by inserting after section sixteen (16), the following: "Sec. 17. That when four (4) members of the commission

are in attendance in executive session they shall constitute a quorum, and the chairman shall vote."

18. Further amend by renumbering the remaining sections.

CLAIRE DEWEY.

E. P. CORWIN.

LEO ELTHON.

A. J. SHAW.

E. I. MASON.

ROY E. STEVENS.

G. A. WILSON.

GEO. L. PARKER.

PAUL L. MILLHONE.

Amend Senate File 115, as follows:

Insert after the word "herein." in line 15 of section fourteen (14), the following: "And rules and regulations must be subject to the approval of the executive council.

CLAIRE DEWEY.

On motion of Senator Aschenbrenner, the Senate adjourned until 1:30 p. m., March 4, 1935, in accordance with House Concurrent Resolution 10.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 4, 1935.

The Senate met in regular session, President pro tempore Harold L. Irwin presiding.

Prayer was offered by Rev. A. S. Carlson, pastor of the Congregational church at Mason City, Iowa.

Senator Driscoll was granted unanimous consent to have his name stricken from the amendment to Senate File 115 as filed and found on page 356 of the Senate Journal.

The Journal of February 22, 1935, as corrected, was approved.

PETITIONS AND MEMORIALS

The following petitions favoring the basic science bill were received and filed, to be referred to the committee on public health:

Senator Hush, from residents of Mills county; Senator Byers, from residents of Linn county; Senator Beardsley, from residents of Warren county.

The following petitions opposing the basic science bill were received and filed, to be referred to the committee on public health:

Senator Harrington, from residents of Woodbury county; Senator Stevens of Decatur, from residents of Union county; Senator Pendray, from residents of Jackson county; Senator Berg, from residents of Black Hawk county; Senator Driscoll, from residents of Lee county; Senator Anderson, from residents of Webster and Calhoun counties; Senator Elthon, from residents of Worth county.

The following petitions favoring the tax on the so-called "chain stores" doing business in the state were received and filed, to be referred to the committee on cities and towns:

Senator Patterson, from residents of Palo Alto, Clay, Kossuth

and Emmet counties; Senator Malone, from residents of Cass county; Senator Doze, from residents of Wayne county; Senator Valentine, from residents of Appanoose county; Senator Donohue, from residents of Chickasaw and Floyd counties; Senator Meyer, from residents of Butler and Bremer counties; Senator Hush, from residents of Montgomery county; Senator Byers, from residents of Linn county; Senator Grunewald, from residents of Benton county; Senator Schmidt, from residents of Iowa county; Senator Millhone, from residents of Fremont and Page counties; Senator Driscoll, from residents of Lee county; Senator Anderson, from residents of Webster county.

The following petitions were received and filed to be referred to the designated committees:

Senator Anderson, from residents of Webster county, opposing the establishment of a state purchasing agency and the establishment of a county purchasing agent. Committee on state planning.

Senator Malone, from residents of Cass county in regard to local option on liquor stores or places where beer is sold. Committee on judiciary No. 2.

Senator Doze, from residents of Wayne county, favoring Senate File 37. Committee on state planning.

Senator Billingsley, from residents of Jasper county, favoring Senate File 37. Committee on state planning.

Senator Chrystal, from residents of Greene county, favoring Senate File 37. Committee on state planning.

Senator Corwin, from residents of Louisa county, favoring House File 101. Committee on ways and means.

Senator Baldwin, from residents of Dubuque county, favoring House File 101. Committee on ways and means.

Senator Baldwin, from St. Joseph's Mercy Hospital School of Nursing Alumnae, favoring Senate Files 49 and 50. Committee on public health.

Senator Driscoll, from the Graham Protestant Hospital Alumnae favoring Senate Files 49 and 50. Committee on public health.

Senator Patterson, from residents of Kossuth and Emmet coun-

ties, protesting the transfer of profits of liquor commission to old age pension fund. Committee on judiciary No. 2.

Senator Billingsley, from residents of Jasper county, favoring Senate File 5, Senate File 36, Senate File 43, and House File 62. Committee on railroads and aeronautics.

Senator Billingsley, from residents of Jasper county, favoring House File 55. Committee on motor vehicles.

INTRODUCTION OF BILLS

Senate File 137, by Senator Pendray, a bill for an act to amend sections forty-four hundred forty-six (4446), forty-two hundred thirty-eight (4238), and forty-four hundred fifty-nine (4459), Code, 1931, and to repeal sections forty-four hundred forty-seven (4447) and forty-four hundred sixty (4460), Code, 1931, and enact substitutes therefor, relating to textbooks in the public schools.

The bill was read first and second times and referred to the committee on public schools.

Senate File 138, by Senator Fisch, a bill for an act to amend chapter thirty-six (36), Code, 1931, by amending section six hundred twenty-seven (627) and striking section six hundred thirty-eight (638), as the same relate to the election and duties of a county chairman and a county chairwoman, and the election of the members of the state central committee.

The bill was read first and second times and referred to the committee on elections and contests.

Senate File 139, by Senator Schmidt, a bill for an act authorizing the executive council to cause an addition to be erected to the State Historical Building, located on the capitol grounds of the state of Iowa, and making an appropriation therefor.

The bill was read first and second times and referred to the committee on appropriations.

COPIES OF SENATE FILE 29 ORDERED

Senator Calhoun was granted unanimous consent to have 600 copies of Senate File 29 printed.

Senator Schmidt was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 140, by Senator Schmidt, a bill for an act relating to the charging or blasting of charged holes.

The bill was read first and second times and referred to the committee on county and township affairs.

Senate File 141, by Senator Schmidt, a bill for an act relating to the storage and transportation of explosives.

The bill was read first and second times and referred to the committee on departmental affairs.

The following concurrent resolution was filed:

SENATE CONCURRENT RESOLUTION 11

Memorializing his Excellency, Franklin Delano Roosevelt, President of the United States; the Honorable Henry A. Wallace, Secretary of Agriculture, and the Congress of the United States to place prohibitive tariffs upon and close the ports of the United States to the importation of livestock and the process and by-products thereof, and upon grains and the process and by-products thereof.

Whereas, It is the declared policy of the present administration of the government of the United States that agriculture should be restored to its pre-war level, with the industries of the country; and,

Whereas, Pursuant to this policy, the honorable Secretary of Agriculture of the United States proclaimed an order for the destruction of six million (6,000,000) pigs and two hundred twenty-five thousand (225,000) sows and pursuant to such order, millions of pigs and thousands of sows were destroyed; and,

Whereas, Pursuant to said policy, a restriction was placed by the government of the United States upon the production of grains and hogs and the production of such was limited for the year 1934; and,

Whereas, At the present moment the continued policy of restricted production is being enforced in the United States, and in Iowa alone over one hundred thousand (100,000) farmers have joined in such reduction program; and,

Whereas, The tariff commission and the President of the United States have full and complete power and authority to regulate importations of food stuffs and raise or lower the tariffs thereon; and,

Whereas, Regardless of this authority and inconsistent with the whole agricultural reduction of the production program, there have been and are being admitted to the United States vast quantities of beef, hides, wool and grains of all kinds; and,

Whereas, Some of such importations are hereby listed:

During the first ten (10) days of February there were sixteen thousand (16,000) bushels of corn from South Africa received in Baltimore.

During the same time, there were received at Boston one hundred three thousand (103,000) bushels of heavy white oats from Poland.

Since January 1, 1935, the corn shipments from Argentina to the United States have totaled over four million (4,000,000) bushels.

That during the first ten (10) days of February, 1935, there were received at Houston, Texas, from Argentina, one hundred fifty thousand (150,000) bushels of red oats.

Since January 1, 1935, there has been received at the United States Atlantic ports low grade French wheat paying duty as feed.

Since January 1, 1935, there have been received at Portland, Oregon, from Argentina, one thousand five hundred (1,500) tons of Argentine corn; that the total of Argentine corn shipments to the United States for the week ending January 29, 1935, included one million eight hundred thirty-one thousand (1,831,000) bushels of corn and four hundred sixty-two thousand (462,000) bushels of oats.

In addition to this, on January 29, 1935, there were received at Houston, Texas, from Argentina, three hundred fifty thousand (350,000) bushels of oats and over three million (3,000,000) bushels more have been contracted.

During the year 1934, there were received in the United States from Mexico, three thousand five hundred (3,500) carloads of corn, or approximately four million (4,000,000) bushels.

On February 1, 1935, there were received at Boston, from Buenos Aires, fifty-six thousand (56,000) bags of bran, weighing five hundred seventy-five thousand two hundred fifty-nine (575,259) pounds and five hundred sixty (560) bags of corn, weighing fifty-six thousand (56,000) pounds.

Russian oats, recently sold in New York below the Chicago parity, weighed forty-two (42) pounds to the bushel. Other Russian oats have been offered in New York at eight (8) cents over the price of Chicago May oats.

New York and other seaboard cities are getting Argentine bran at prices lower than can be quoted for the western product.

On January 25, 1935, there arrived at Boston, one million six hundred fifty-three thousand four hundred fifty (1,653,450) pounds of oats from Danzig, Poland, and on January 30, 1935, at the same port, there arrived from Braila, Roumania, two hundred forty thousand (240,000) bushels of corn.

That during the last six (6) months of 1934 imports into the United States have included the following: ninety-eight million nine hundred eighty-nine thousand (98,989,000) pounds barley malt; two million eight hundred seven thousand (2,807,000) bushels of corn; five million five hundred sixty-seven thousand (5,567,000) bushels of oats; thirty-one million (31,000,000) pounds of rice; three million six hundred sixty-three thousand (3,663,000) bushels of wheat for milling in bond and exportation; wheat imported for export to Cuba, one million six hundred sixty-one thousand (1,661,000) bushels; wheat unfit for human consumption, two million six hundred ninety-two thousand (2,692,000) bushels; other wheat, four million nine hundred twenty-one thousand (4,921,000) bushels;

wheat, including flour imported for consumption, twelve million nine hundred thirty-nine thousand (12,939,000) bushels; thirty-one million fifty-two thousand (31,052,000) pounds of canned meat; seventy-seven million four hundred ninety-two thousand (77,492,000) pounds of hides; forty-one million one hundred thirty-three thousand (41,133,000) pounds of wool; and,

Whereas, The policy of the government in permitting the importation of these vast quantities of livestock and grain, places the same in direct competition with the products of the United States; and,

Whereas, The reduction program reduced the whole slaughtering in Sioux City alone during January, 1935, by two-thirds and as a result of the decline in this one location in Iowa, fifteen hundred (1500) men were dropped from the payroll; and,

Whereas, These vast importations from cheap land cultivated by cheap labor not only impoverish the grain and stock producers but are reflected in all commercial and industrial activities of this country, now, therefore,

Be It Resolved by the Senate, the House concurring: That his Excellency, Franklin Delano Roosevelt, President of the United States, the Honorable Henry A. Wallace, Secretary of Agriculture, and the Congress of the United States be memorialized to take such action as will restrict importation of those foreign farm products, including livestock, as are brought in direct competition to such products of the United States; and,

Be It Further Resolved: That a copy of this resolution duly effected be delivered to the President of the United States; to the United States Senate; to the House of Representatives of the United States; and to the Honorable Henry A. Wallace, Secretary of Agriculture; and,

Be It Further Resolved: That copies of this resolution be delivered to the press and to each Representative from Iowa in Congress.

A. J. SHAW.

G. W. PATTERSON.

JOHN N. CALHOUN.

HOMER HUSH.

COMMUNICATIONS RECEIVED

The following communications were received and filed:

UNITED STATES SENATE

Committee on Agriculture and Forestry

February 25, 1935.

Mr. Hedo M. Zacherle,
Secretary of the Senate,
Des Moines, Iowa.

DEAR MR. ZACHERLE: This will acknowledge receipt of your letter of February 21st, transmitting Senate Concurrent Resolution 5, as adopted by the Forty-sixth General Assembly of the State of Iowa.

I shall cause this to be inserted in the Congressional Record.

Very truly yours,

LOUIS MURPHY.

UNITED STATES SENATE
Committee on Appropriations

February 28, 1935.

Mr. Hedo M. Zacherle, Secretary
The Senate,
Des Moines, Iowa.

DEAR MR. ZACHERLE: Thank you very much for copy of the Senate Concurrent Resolution 5, as adopted by the Forty-sixth General Assembly. You may be assured that I am favorable to the lower rate of interest.

Yours very truly, L. J. DICKINSON.

CONGRESS OF THE UNITED STATES
House of Representatives, Washington, D. C.
Committees: Education, Roads, Claims

February 25, 1935.

Hon. Hedo M. Zacherle,
Secretary of the Senate,
Des Moines, Iowa.

DEAR MR. ZACHERLE: This is to acknowledge receipt of Senate Resolution 5.

I wish to advise that I am entirely in accord with the thought of the resolution. It has always seemed to me that agriculture has been at a great disadvantage, so far as the rate of interest is concerned. As you know, when the farm credit bill was before the Senate, an amendment was presented by Senator Wheeler, reducing the interest rate from four and one-half to three and one-half per cent. This bill comes before the House tomorrow, and the Representatives of the farming states will make a great effort to have this amendment passed in the House.

With kindest personal regards, I am

Yours sincerely, JOHN W. GWYNNE.

CONGRESS OF THE UNITED STATES
House of Representatives, Washington, D. C.
Committee: Foreign Affairs

February 26, 1935.

Mr. Hedo M. Zacherle,
Secretary of the Senate, State Capitol,
Des Moines, Iowa.

MY DEAR MR. ZACHERLE: This acknowledges receipt of your letter of February 21st, transmitting a resolution adopted concurrently by the House of Representatives and the Senate of the Forty-sixth General Assembly of the State of Iowa.

It was a pleasure to receive this resolution, and I assure you that I have worked, and will continue to work for the adoption of the Wheeler amendment which will make possible land bank loans at three (3) per cent interest.

This amendment has passed the United States Senate, and the bill is at the present time on the House side of the chamber awaiting action. If it is not released from committee within a very short time it is my intention to place a withdrawal petition on the Speaker's desk and firmly believe there is some possibility of securing the necessary two hundred and

eighteen (218) signatures which will force its release from committee to the floor of the House where we will have an opportunity to vote upon it.

Thanking you for sending me a copy of the Senate resolution, I remain,
Sincerely yours, G. M. GILLETTE.

CONGRESS OF THE UNITED STATES
House of Representatives, Washington, D. C.
Committee: Judiciary

February 23, 1935.

Mr. Hedo M. Zacherle,
Secretary of the Senate, State House,
Des Moines, Iowa.

DEAR MR. ZACHERLE: Your letter dated February 21st enclosing copy of Senate Concurrent Resolution 5, recommending the authorization of federal land bank loans, at the rate of three (3) per cent, is at hand today.

Permit me to thank you sincerely for the same. For the information of the committee and the members of the Forty-sixth General Assembly, permit me to say that the United States Senate has heretofore passed a new law reducing the rate of interest on federal land bank loans from four and one-half (4½) per cent to three and one-half (3½) per cent. On Tuesday of this week the Senate bill and also the House resolution respecting this matter will be taken up for consideration by the House of Representatives. It is my belief that the House will probably adopt the Senate bill. I assure you that I am in favor of this proposed change in the law and that I intend to vote favorably for same. I am,

Sincerely yours, HUBERT UTTERBACK.

CONGRESS OF THE UNITED STATES
House of Representatives, Washington, D. C.
Committee: Appropriations

February 23, 1935.

Hon. Hedo M. Zacherle,
State House,
Des Moines, Iowa.

MY DEAR MR. ZACHERLE: I have your letter together with Senate Concurrent Resolution 5. I am heartily in favor of reducing the present interest rate on farm mortgages, and will continue to work to that end.

Sincerely yours, B. M. JACOBSEN.

CONGRESS OF THE UNITED STATES
House of Representatives, Washington, D. C.
Committees: Expenditures in the Executive Departments,
Civil Service, Claims, Invalid Pensions

February 23, 1935.

Hedo M. Zacherle,
Secretary of the Senate,
Des Moines, Iowa.

DEAR MR. ZACHERLE: This will acknowledge receipt of your letter of February 21st enclosing Senate Concurrent Resolution 5. I wish to thank you for the same. With kindest regards, I am,

Sincerely yours, EDWARD C. EICHER.

CONGRESS OF THE UNITED STATES
 House of Representatives, Washington, D. C.
 Committees: Appropriations, Insular Affairs,
 Coinage, Weights, and Measures

February 23, 1935.

Mr. Hedo M. Zacherle,
 Secretary, Iowa State Senate,
 Des Moines, Iowa.

DEAR MR. ZACHERLE: Your letter of February 21st was received, transmitting a copy of Concurrent Resolution 5, adopted by the Forty-sixth General Assembly of the State of Iowa.

During the last session of the Congress, a group of Republicans endeavored to amend a pending measure having jurisdiction over rates of interest charged by the Federal Land Banks, which would have reduced the rate of interest to three and one-half (3½) per cent, and the proposal was defeated by the majority party acting under advice from the executive branch of the government.

Substantially the same situation exists today. On next Tuesday, an endeavor will be made to offer an amendment to reduce farm loan interest rates to three and one-half (3½) per cent. It will be vigorously opposed by the chairman of the committee, Mr. Jones of Texas.

Yours very truly, LLOYD THURSTON.

CONGRESS OF THE UNITED STATES
 House of Representatives, Washington, D. C.
 Committees: Flood Control, Public Lands and
 Public Buildings and Grounds

February 25, 1935.

Mr. Hedo M. Zacherle,
 Secretary of the Senate, State House,
 Des Moines, Iowa:

DEAR MR. ZACHERLE: I wish to acknowledge your letter of February 21st in which you enclosed a copy of the Senate Concurrent Resolution 5. I can assure you of my interest in this matter and that I have attempted to obtain a substantial decrease in interest rates on the refinancing of farm mortgages since taking over the duties of my present office.

I can assure you that I will continue my efforts in this direction. With kind regards to you, I am,

Sincerely, OTHA D. WEARIN.

AMENDMENTS FILED

Amend Senate File 108 as follows:

By striking all of said act commencing with the word "Be" in the enacting clause and inserting in lieu thereof the following:

"Whereas, There is a possibility that certain political subdivisions of the state will seek to collect the compensation from certain public officials whose salaries were increased under chapter eighty-nine (89) of the acts of the Forty-fifth General Assembly of Iowa:

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

Section 1. That all salaries paid to public officials under the provisions of chapter eighty-nine (89) of the acts of the Forty-fifth General Assembly and accepted by the said officials without protest at the time said payments were made are hereby ratified, confirmed and legalized.

Be It Further Enacted: That no official shall have the right of recovery of salary who has accepted payment of the same without protest, nor shall the state or any political subdivision have the right of recovery of any salaries paid under and by virtue of chapter eighty-nine (89), acts of the Forty-fifth General Assembly of Iowa.

Sec. 2. This act, being deemed of immediate importance, shall be in full force and effect from and after its publication in the Allamakee Journal, a newspaper published at Lansing, Iowa, and the Vindicator and Republican, a newspaper published at Estherville, Iowa."

E. P. DONOHUE.

On motion of Senator Valentine the Senate adjourned until 10:00 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 5, 1935.

The Senate met in regular session, President pro tempore Harold L. Irwin presiding.

Prayer was offered by Rev. E. Cornell Wilson, of the Congregational church at Cromwell, Iowa.

The Journal of March 4, 1935, was approved.

PETITIONS AND MEMORIALS

The following petitions favoring the basic science bill were received and filed, to be referred to the committee on public health:

Senator Beardsley, from residents of Clarke county; Senator McArthur, from residents of Hancock county; Senator Fisch, from residents of Plymouth county; Senator Stevens of Decatur, from residents of Ringgold county; Senator Knudson, from residents of Hamilton county; Senator Shaw, from residents of Humboldt county.

The following petitions opposing the basic science bill were received and filed, to be referred to the committee on public health:

Senator Fisch, from residents of Plymouth county; Senator Stevens of Wapello, from residents of Wapello county; Senator Berg, from residents of Grundy and Black Hawk counties; Senator Knudson, from residents of Hardin county; Senator Patterson, from residents of Emmet, Palo Alto, Dickinson and Kossuth counties; Senator Shaw, from residents of Buena Vista and Pocahontas counties; Senator Harrington, from residents of Woodbury county.

The following petitions favoring the tax on the so-called "chain stores" doing business in the state, were received and filed, to be referred to the committee on cities and towns:

Senator Beardsley, from residents of Clarke county; Senator Calkoun, from residents of Van Buren county; Senator Valentine,

from residents of Davis and Appanoose counties; Senator Berg, from residents of Black Hawk county; Senator Kimberly, from residents of Scott county; Senator Fisch, from residents of Plymouth, Ida and Cherokee counties; Senator Stevens of Wapello, from residents of Wapello county; Senator Anderson, from residents of Webster county; Senator Millhone, from residents of Page county; Senator Corwin, from residents of Muscatine and Louisa counties; Senator Dewey, from residents of Henry and Washington counties; Senator Patterson, from residents of Kosuth county; Senator Shaw, from residents of Pocahontas county; Senator Billingsley, from residents of Jasper county.

The following petitions opposing the tax on the so-called "chain stores" doing business in the state were received and filed, to be referred to the committee on cities and towns:

Senator Valentine, from residents of Appanoose county; Senator Shangle, from residents of Mahaska county.

The following petitions opposing Senate File 116 were received and filed, to be referred to the committee on insurance:

Senator Harrington, from residents of Woodbury county; Senator Fisch, from residents of Ida county.

The following petitions favoring Senate File 36 were received and filed, to be referred to the committee on railroads and aeronautics:

Senator Harrington, from residents of Woodbury county; Senator Fisch, from residents of Plymouth and Cherokee counties; Senator Shaw, from residents of Humboldt county.

The following petitions in regard to local option on liquor stores or places where beer is sold, were received and filed, to be referred to the committee on judiciary No. 2:

Senator Corwin, from residents of Muscatine county; Senator Nelson, from residents of Story county.

The following petitions opposing House File 219 were received and filed, to be referred to the committee on agriculture:

Senator Shangle, from residents of Mahaska county; Senator Harrington, from residents of Woodbury county.

The following petitions opposing House File 94 were received

and filed, to be referred to the committee on county and township affairs:

Senator Kimberly, from residents of Scott county; Senator Corwin, from residents of Muscatine county.

The following petitions were received and filed, to be referred to the designated committees:

Senator Corwin, from residents of Muscatine county, favoring House File 101. Committee on ways and means.

Senator Kimberly, from residents of Scott county, opposing House File 107. Committee on ways and means.

Senator Harrington, from residents of Woodbury county, favoring the allocation to the schools of the state, a part of the funds raised by the sales tax, the state income tax, and the corporation tax. Committee on ways and means.

Senator Stevens of Wapello, from residents of Wapello county, opposing the taxation of privately owned trucks on a ton mile basis. Committee on motor vehicles.

Senator Fisch, from residents of Plymouth county, favoring a bill providing all beer license money be turned into the general fund of cities and towns. Committee on judiciary No. 2.

Senator Anderson, from residents of Webster county, opposing the establishment of a state purchasing agency and the establishment of a county purchasing agent. Committee on state planning.

Senator Corwin, from residents of Muscatine and Louisa counties, opposing all bills relating to price-fixing on petroleum. Committee on manufacturing, commerce and trade.

Senator McArthur, from the Tenth District of Iowa Association of Registered Nurses, favoring Senate Files 49 and 50. Committee on public health.

COPIES OF SENATE FILES ORDERED

By unanimous consent Senator Malone ordered 600 copies of Senate File 116 printed; Senator Elthon ordered 600 copies of Senate File 131, Senate File 28, and 600 additional copies of Senate File 116 printed; and Senator Hush ordered 600 copies of Senate Joint Resolution 2 printed.

INTRODUCTION OF BILLS

Senate File 142, by Senator Schmidt, a bill for an act to amend section sixty-nine hundred ninety-four (6994), Code, 1931, and chapter one hundred twenty-five (125), acts of the Forty-fifth General Assembly in Extraordinary Session, and to require all persons, copartnerships, associations or corporations loaning money and taking or accepting a conditional bill of sale, chattel mortgage or a chattel mortgage upon an automobile as security therefor, to qualify, operate and do business under the provisions of chapter one hundred twenty-five (125), acts of the Forty-fifth General Assembly in Extraordinary Session, and to define, supervise and regulate the business of making such loans; to prescribe maximum rates of interest or charges therefor, and methods of determining the same from time to time; to provide for the classification of such loans for the purposes of this act; to enlarge the powers of the superintendent of banking and the state banking board; to provide penalties; and to repeal all acts or parts of acts, whether general, special or local, which relate to the same subject matter as this act, insofar as they are inconsistent with this act.

The bill was read first and second times and referred to the committee on banks and banking.

Senate File 143, by Senators Elthon and Corwin (Kringlaak, Hanson of Mitchell), a bill for an act for the protection of the seed potato supply of the state of Iowa.

The bill was read first and second times and referred to the committee on agriculture.

Senate File 144, by Senator Wilson, a bill for an act to repeal subdivision nine (9) of section sixty-two hundred eleven (6211), Code, 1931, and to enact a substitute therefor, relating to the tax levy for fire department maintenance fund in cities and towns, including those operating under special charter.

The bill was read first and second times and referred to the committee on cities and towns.

Senate File 145, by Senator Wilson, a bill for an act to amend section eleven thousand nine hundred thirty-three (11933), of the 1931 Code of Iowa, relating to the posting of a bond on the sale

or mortgage of real estate in an estate for the purpose of satisfying the debts and charges.

The bill was read first and second times and referred to the committee on judiciary No. 2.

Senate File 146, by Senator Wilson, a bill for an act to amend section seventy-three hundred thirty (7330), Code, 1931, relating to the compensation and mileage of inheritance tax appraisers.

The bill was read first and second times and referred to the committee on judiciary No. 2.

Senate File 147, by Senator Wilson, a bill for an act to amend section twelve thousand five hundred ninety-two (12592), of the 1931 Code of Iowa, relating to the amount of bond to be given by a guardian upon the sale or mortgage of real estate.

The bill was read first and second times and referred to the committee on judiciary No. 2.

ACTION ON BILLS DEFERRED

Senator Wilson was granted unanimous consent to have action on Senate File 76 deferred and the bill was ordered to retain its place on the calendar.

Senator Patterson was granted unanimous consent to have action on Senate File 99 temporarily deferred.

Senator Wilson was called to the chair at 10:20 a. m.

By unanimous consent granted Senator Valentine, action on Senate File 47 was deferred and the bill was ordered to retain its place on the calendar.

By unanimous consent granted Senator Wilson, action on House File 17 was deferred and the bill was ordered to retain its place on the calendar.

By unanimous consent granted Senator Baldwin, action on Senate File 35 was deferred and the bill was ordered to retain its place on the calendar.

By unanimous consent granted Senator Wilson, action on Sen-

ate File 112 was deferred and the bill was ordered to retain its place on the calendar.

By unanimous consent granted Senator McArthur, action on Senate File 113 was deferred and the bill was ordered to retain its place on the calendar.

Inasmuch as the author of Senate File 115 was not present, action was deferred and the bill was ordered to retain its place on the calendar.

Inasmuch as Senator Driscoll was not present, action on House File 28 was deferred and the bill was ordered to retain its place on the calendar.

On request of Senator Byers, action on Senate Files 49 and 50 was temporarily deferred.

THIRD READING OF BILLS

Senate File 108, a bill for an act to legalize the compensation paid as salaries to public officials under the provisions of chapter eighty-nine (89) of the acts of the Forty-fifth General Assembly, was taken up and considered.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 108 as follows:

By striking all of said act commencing with the word "Be" in the enacting clause and inserting in lieu thereof the following:

"Whereas, There is a possibility that certain political subdivisions of the state will seek to collect the compensation from certain public officials whose salaries were increased under chapter eighty-nine (89) of the acts of the Forty-fifth General Assembly of Iowa:

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

Section 1. That all salaries paid to public officials under the provisions of chapter eighty-nine (89) of the acts of the Forty-fifth General Assembly and accepted by the said officials without protest at the time said payments were made are hereby ratified, confirmed and legalized.

Be It Further Enacted: That no official shall have the right of recovery of salary who has accepted payment of the same without protest, nor shall the state or any political subdivision have the right of recovery of any salaries paid under and by virtue of chapter eighty-nine (89), acts of the Forty-fifth General Assembly of Iowa.

Sec. 2. This act, being deemed of immediate importance, shall be in full force and effect from and after its publication in the Allamakee Journal, a newspaper published at Lansing, Iowa, and the Vindicator and Republican, a newspaper published at Estherville, Iowa."

Senator Donohue offered the following amendments to the amendment and moved their adoption:

Amend by striking the following words in section one (1), line 3, "without protest at the time said payments were made."

Amend by striking from lines 6 and 7, in section one (1), the words "without protest."

Amend by striking from line 5, the words "Be It Further Enacted" and inserting in lieu thereof the word and figure, "Sec. 2."

Further amend by renumbering section two (2) as section three (3).

The motion prevailed and the amendments to the amendment were adopted.

The amendment as amended was adopted.

On motion of Senator Stevens of Wapello, further consideration of Senate File 108 was deferred and the bill was ordered to retain its place on the calendar.

Senate File 80, a bill for an act to amend chapter forty-one (41), acts Extra Session Forty-fifth General Assembly, relating to high school tuition and transportation so as to provide for determining the cost of transportation; to prohibit special privileges to non-resident high school pupils at the expense of the district unless the district is fully reimbursed; and to provide the penalty for a violation, and the method of enforcement, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 32:

Aschenbrenner	Doze	Knudson	Schmidt
Bell of	Fisch	Malone	Shangle
Crawford	Geske	McArthur	Shaw
Bell of	Goetsch	Millhone	Stevens of
Des Moines	Grunewald	Moore	Decatur
Berg	Hopkins	Mullaney	Stevens of
Calhoun	Husted	Parker	Wapello
Corwin	Irwin	Patterson	Valentine
Dewey	Kimberly	Pendray	Wilson

Nays, 9:

Anderson	Donohue	Hush	Meyer
Beardsley	Elthon	Mason	Miller
Chrystal			

Absent or not voting, 9:

Baldwin	Driscoll	Nelson	Roelofs
Billingsley	Harrington	Reese	Stanley
Byers			

Rule 8 was invoked.

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

Senator Hopkins moved that the vote by which Senate File 80 passed the Senate be reconsidered and the motion to reconsider be laid on the table.

The chair called for a division of the vote and announced that the motion prevailed.

On motion of Senator Byers, Senate File 49, a bill for an act to amend section twenty-four hundred fifty-five (2455), Code, 1931, relating to certain limitations placed on members of examining boards of certain professions, to remove said limitations as same apply to nurse examiners, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Byers moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 41:

Anderson	Dewey	Kimberly	Patterson
Aschenbrenner	Donohue	Knudson	Pendray
Beardsley	Doze	Malone	Schmidt
Bell of	Elthon	Mason	Shangle
Crawford	Geske	McArthur	Shaw
Berg	Goetsch	Meyer	Stevens of
Billingsley	Grunewald	Miller	Decatur
Byers	Hopkins	Millhone	Stevens of
Calhoun	Hush	Moore	Wapello
Chrystal	Husted	Mullaney	Valentine
Corwin	Irwin	Parker	Wilson

Nays, 1:

Fisch

Absent or not voting, 8:

Baldwin	Driscoll	Nelson	Roelofs
Bell of	Harrington	Reese	Stanley
Des Moines			

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

Senator Byers moved that the vote by which Senate File 49 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate File 50, a bill for an act to amend the law as it appears in section twenty-four hundred fifty-one (2451), Code, 1931, relating to examining boards for professions and to provide for the examining board of nurses to consist of five (5) members; to amend the law as it appears in section twenty-four hundred fifty-six (2456), Code, 1931, relating to the term of examiners and to provide for nurse examiners to be appointed for a term of five (5) years; to amend the law as it appears in section twenty-four hundred fifty-seven (2457), Code, 1931, relating to the nomination of examiners by state associations, societies or boards, and to provide that appointments to the boards of examiners shall be made from such nominations; to amend the law as it appears in chapter one hundred fifteen (115), Code, 1931, by prescribing certain powers and duties of nurse examiners, including the appointment of a full-time secretary for said examiners, and prescribing the duties and powers of such secretary; by providing for a portion of the fees collected under this act to be credited to a special fund to be used in administering the provisions of this act, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend Senate File 50 by striking out all that portion of section seven (7) commencing with the words, "The treasurer" in line 14 and ending with the word "hereinbefore" in line 32 and substituting in lieu thereof the following:

"All such fees collected and remitted shall be placed in a special fund by the treasurer of state and the state comptroller to be known as the 'nurses' fund,' to be used by the board to administer and enforce the laws relating to the practice of nursing, to elevate the standards of schools of nursing, and to promote the educational and professional stand-

ards of nurses and nursing in this state, and no part of such expense shall be paid out of the state treasury. Any remainder in said fund at the end of each fiscal year, after all expense in carrying out the provisions of this act have been paid, or a sum sufficient for payment thereof set apart, shall be paid into the general fund of the state."

Amend by striking in line 20 of the title, the words, "a portion of."

The bill was read for information.

Senator Byers moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 45:

Anderson	Corwin	Husted	Nelson
Aschenbrenner	Dewey	Irwin	Parker
Baldwin	Donohue	Kimberly	Patterson
Beardsley	Doze	Knudson	Pendray
Bell of	Driscoll	Malone	Schmidt
Crawford	Elthon	Mason	Shaw
Bell of	Fisch	McArthur	Stevens of
Des Moines	Goetsch	Meyer	Decatur
Berg	Grunewald	Miller	Stevens of
Billingsley	Harrington	Millhone	Wapello
Byers	Hopkins	Moore	Valentine
Calhoun	Hush	Mullaney	Wilson
Chrystal			

Nays, 1:

Shangle

Absent or not voting, 4:

Geske	Reese	Roelofs	Stanley
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The bill as amended having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Byers moved that the vote by which Senate File 50 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

CONSIDERATION OF SENATE FILE 99 RESUMED

On motion of Senator Patterson, Senate File 99, a bill for an

act to amend section forty-one (41), chapter twenty-four (24), of the acts of the Forty-fifth General Assembly, Extraordinary Session, relating to the purchase, transportation and possession of liquor for personal use, was again taken up and considered.

Senator Baldwin offered the following amendment and moved its adoption:

Amend Senate File 99 by inserting after the word "purchasing" in line 8 the words "not to exceed four (4) quarts of liquor at any one time", and strike the word "liquor" and insert the word "and" in lieu thereof in line 9.

The motion prevailed and the amendment was adopted.

Senator Shangle offered the following amendment and moved its adoption:

Amend Senate File 99 by striking section two (2) thereof.

The motion to amend was lost.

The bill was read for information.

Senator Patterson moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 23:

Aschenbrenner	Billingsley	Fisch	Knudson
Baldwin	Byers	Geske	Moore
Beardsley	Calhoun	Goetsch	Nelson
Bell of	Corwin	Harrington	Parker
Crawford	Dewey	Irwin	Patterson
Berg	Donohue	Kimberly	Wilson

Nays, 23:

Anderson	Grunewald	Meyer	Shaw
Bell of	Hopkins	Miller	Stevens of
Des Moines	Hush	Mullaney	Decatur
Chrystal	Husted	Pendray	Stevens of
Doze	Malone	Schmidt	Wapello
Driscoll	Mason	Shangle	Valentine
Elthon	McArthur		

Absent or not voting, 4:

Millhone	Reese	Roelofs	Stanley
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The bill as amended not having received a constitutional majority was declared to have failed to pass the Senate.

Senator Hush was granted unanimous consent to return to the introduction of resolutions.

SENATE CONCURRENT RESOLUTION 12

A concurrent resolution memorializing Congress to allocate not less than sixty (60) per cent of the federal road appropriations for the definite purpose of improving and surfacing the secondary road systems of the states and memorializing Congress to discontinue the beautification of primary highways until the secondary road systems are improved.

Whereas, It is the established policy of the Congress of the United States to allocate money for road building to the states for the purpose of stimulating improvement and business recovery, and,

Whereas, The primary road system of Iowa comprising seven thousand eight hundred thirty-four (7,834) miles and connecting all of the important trade centers is built and surfaced with the exception of four hundred ten (410) miles, and,

Whereas, The secondary road system of Iowa is largely unimproved and unsurfaced and in such a condition as to be detrimental to business interests of the state, and,

Whereas, The most urgent need now is for the improvement of our secondary road systems for the benefit of farmers and business men, now, therefore

Be It Resolved by the Senate of the Forty-sixth General Assembly, State of Iowa, the House concurring: That we respectfully urge the Congress of the United States to allocate not less than sixty (60) per cent of the federal road appropriations for the definite purpose of improving and surfacing the secondary road systems of the states, and

Be It Further Resolved: That the Congress be urged to discontinue the use of large sums of money for the beautification of primary highways until the secondary roads are improved, and

Be It Further Resolved: That each of the Senators and Representatives in Congress from the state of Iowa be urged to support and assist in carrying out the purposes of this memorial, and

Be It Further Resolved: That the Secretary of the Senate is hereby authorized and directed to send a copy of this resolution to the President of the Senate, the Speaker of the House of Representatives and to each of our Congressmen and Senators at Washington, D. C.

SENATE FILES 29 AND 40 PLACED ON CALENDAR

Senator Calhoun was granted unanimous consent to have Senate Files 29 and 40 withdrawn from the committee on rules and placed on the calendar.

AMENDMENTS FILED

Amend Senate File 113 by striking the comma after the word "more" in section two (2), subsection (a), line 8, and insert in lieu thereof a period, and strike the balance of the subsection. Also strike the comma

after the word "association" in section twenty-seven (27), subsection (c), line 14, and insert in lieu thereof a period, and strike the balance of the subsection. Also strike the comma after the word "meetings" in section twenty-eight (28), line 3, and insert in lieu thereof a period, and strike the balance of the section.

FRED W. NELSON.

WM. MCARTHUR.

Amend Senate File 109 by adding as section three (3) the following:

"Sec. 3. This act being deemed of immediate importance shall be in full force and effect after its publication in the Pocahontas Democrat, a newspaper published at Pocahontas, Iowa, and the Fort Dodge Messenger, a newspaper published at Fort Dodge, Iowa.

PAUL H. ANDERSON.

On motion of Senator Shangle, the Senate adjourned until 10:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 6, 1935.

The Senate met in regular session, President pro tempore Harold L. Irwin presiding.

Rev. George W. Dunn, pastor of the First Methodist church at Ida Grove, offered prayer.

The Journal of March 5, 1935, was approved.

PETITIONS AND MEMORIALS

The following petitions opposing the basic science bill were received and filed, to be referred to the committee on public health:

Senator Irwin, from residents of Clinton county; Senator Mason, from residents of Keokuk county; Senator Malone, from residents of Cass county; Senator Hush, from residents of Montgomery county; Senator Geske, from residents of Clayton county; Senator Grunewald, from residents of Benton and Tama counties.

The following petitions favoring the basic science bill were received and filed, to be referred to the committee on public health:

Senator Berg, from residents of Black Hawk and Grundy counties; Senator Moore, from residents of Pottawattamie county; Senator Parker, from residents of Delaware county; Senator Hopkins, from residents of Guthrie county.

The following petitions favoring the tax on the so-called "chain stores" doing business in the state were received and filed, to be referred to the committee on cities and towns:

Senator Schmidt, from residents of Johnson county; Senator Chrystal, from residents of Sac county; Senator Corwin, from residents of Louisa county; Senator Anderson, from residents of Calhoun county; Senator Mason, from residents of Poweshiek county; Senator Parker, from residents of Buchanan county;

Senator Fisch, from residents of Plymouth county; Senator Malone, from residents of Shelby county; Senator Stevens of Wapello, from residents of Wapello county; Senator Baldwin, from residents of Dubuque county; Senator Harrington, from residents of Woodbury county.

The following petitions opposing the tax on the so-called "chain stores" doing business in the state were received and filed, to be referred to the committee on cities and towns:

Senator Reese, from residents of Marshall county; Senator Hush, from residents of Montgomery county; Senator Geske, from residents of Clayton county; Senator Kimberly, from residents of Scott county.

The following petitions were received and filed, to be referred to the designated committees:

Senator Hush, from residents of Montgomery county, in regard to local option on liquor stores or places where beer is sold. Committee on judiciary No. 2.

Senator Harrington, from residents of Woodbury county, opposing House File 205. Committee on insurance.

Senator Millhone, from residents of Arbutus Camp No. 2728, Royal Neighbors of America, opposing House File 205. Committee on insurance.

Senator Hush, from residents of Mills and Montgomery counties, opposing any measures which will tend to abolish township and township offices, school district or school district offices, or make any of the present elective county officers appointive, or any measure looking toward the ultimate consolidation of counties. Committee on county and township affairs.

Senator Kimberly, from residents of Scott county, opposing House File 94. Committee on county and township affairs.

Senator Harrington, from Woodbury county railroad employees, favoring Senate File 5. Committee on railroads and aeronautics.

Senator Harrington, from Woodbury county railroad employees, favoring Senate File 37 and House File 48. Committee on railroads and aeronautics.

Senator Harrington, from Woodbury county railroad employees favoring Senate File 36 and House File 60. Committee on railroads and aeronautics.

Senator Harrington, from Woodbury county railroad employees, favoring Senate File 43 and House File 62. Committee on railroads and aeronautics.

Senator Harrington, from Woodbury county railroad employees, favoring House File 55. Committee on motor vehicles.

Senator Moore, from farm bureau of east Pottawattamie county, opposing the bill to do away with county appropriations to pay county farm bureau agents. Committee on county and township affairs.

INTRODUCTION OF BILLS

Senate File 148, by Senator Anderson, a bill for an act to amend section thirty-nine (39), chapter eighty-two (82), laws of the Forty-fifth General Assembly in Extraordinary Session, relating to exemption of political subdivisions of the state from payment of sales tax.

The bill was read first and second times and referred to the committee on county and township affairs.

Senate File 149, by Senator Anderson, a bill for an act to amend section ten thousand thirty-one (10031), Code, 1931, relating to fees charged by the county recorder.

The bill was read first and second times and referred to the committee on judiciary No. 1.

SENATE CONCURRENT RESOLUTION 12 CONSIDERED

Senator Hush called up for consideration Senate Concurrent Resolution 12, as found on page 378 of the Senate Journal.

On motion of Senator Hush, the concurrent resolution was adopted.

ACTION ON BILLS DEFERRED

By unanimous consent granted Senator Wilson, action on Senate File 76 was deferred, and the bill was ordered to retain its place on the calendar.

By unanimous consent granted Senator Roelofs, action on Senate File 108 was deferred, and the bill was ordered to retain its place on the calendar.

By unanimous consent granted Senator Valentine, action on Senate File 47 was deferred, and the bill was ordered to retain its place on the calendar.

By unanimous consent granted Senator Baldwin, action on Senate File 35 was deferred, and the bill was ordered to retain its place on the calendar.

By unanimous consent granted Senator Wilson, action on House File 17 was deferred, and the bill was ordered to retain its place on the calendar.

By unanimous consent granted Senator Wilson, action on Senate File 112 was deferred, and the bill was ordered to retain its place on the calendar.

On motion of Senator Calhoun, the Senate recessed until the fall of the gavel.

The Senate reconvened at the fall of the gavel.

Senator Wilson was called to the chair at 10:40 a. m.

THIRD READING OF BILLS

Senate File 113, a bill for an act to revise and modernize the laws relating to co-operative corporations with and without capital stock; to define such corporations, and other terms; to provide for the incorporation, regulation, renewal, dissolution and internal affairs of such corporations; to define their necessary and permissible powers and activities; to provide for classes of stockholders and the rights, privileges, duties and obligations of stockholders and members; to exempt certain co-operative securities from the Iowa securities act; to permit marketing contracts and provide remedies thereon; to require certain fees, reports and penalties; to regulate the use of the word "co-operative"; to extend the act to certain existing co-operatives; to permit the admission of foreign co-operatives; to repeal inconsistent laws, including chapters three hundred eighty-nine (389) and three hundred ninety (390) of the 1931 Code of Iowa; and for other related purposes, was taken up and considered.

Senators Nelson and McArthur offered the following amendment and moved its adoption:

Amend Senate File 113 by striking the comma after the word "more" in section two (2), subsection (a), line 8, and insert in lieu thereof a period, and strike the balance of the subsection. Also strike the comma after the word "association" in section twenty-seven (27), subsection (c), line 14, and insert in lieu thereof a period, and strike the balance of the subsection. Also strike the comma after the word "meetings" in section twenty-eight (28), line 3, and insert in lieu thereof a period, and strike the balance of the section.

The motion prevailed and the amendment was adopted.

Senator Shangle offered the following amendment and moved its adoption:

Amend Senate File 113, section eight (8), line 5, by striking the word "resell" and inserting in lieu thereof the word "sell"; and in line 6 by striking the word "resale" and inserting in lieu thereof the word "sale."

The motion prevailed and the amendment was adopted.

Senator Donohue moved that Senate File 113 be referred to the committee on judiciary No. 1.

As a substitute motion, Senator Nelson moved that further consideration of Senate File 113 be deferred and the bill ordered to retain its place on the calendar, which motion prevailed.

The substitution was made, and the substitute motion prevailed.

Senate File 115, a bill for an act to repeal sections one thousand seven hundred three d-one (1703-d1), one thousand seven hundred three d-two (1703-d2), one thousand seven hundred three d-three (1703-d3), one thousand seven hundred three d-four (1703-d4), one thousand seven hundred three d-five (1703-d5), one thousand seven hundred three d-six (1703-d6), one thousand seven hundred three d-seven (1703-d7), one thousand seven hundred three d-eight (1703-d8), one thousand seven hundred three d-nine (1703-d9), one thousand seven hundred three d-ten (1703-d10), one thousand seven hundred three d-fourteen (1703-d14), one thousand seven hundred three d-sixteen (1703-d16), one thousand seven hundred three d-seventeen (1703-d17), one thousand seven hundred three d-eighteen (1703-d18), one thousand seven hundred three d-nineteen (1703-d19), one thousand seven hundred three d-twenty (1703-d20), one thousand seven hundred three d-twenty-one (1703-d21), one thousand seven hundred three d-twenty-two (1703-

d22), one thousand seven hundred three d-twenty-three (1703-d23), one thousand seven hundred three d-twenty-four (1703-d24), one thousand seven hundred three d-twenty-five (1703-d25), one thousand seven hundred three d-twenty-nine (1703-d29), and one thousand seven hundred three d-thirty (1703-d30), of chapter eighty-five D-one (85-D1); to repeal sections one thousand seven hundred ninety-five (1795), one thousand seven hundred ninety-six (1796), one thousand seven hundred ninety-seven (1797) and one thousand eight hundred twenty-one (1821) of chapter eighty-seven (87); to repeal section two thousand six hundred four (2604) of chapter one hundred twenty-six (126); to amend section two thousand five hundred eighty-seven (2587) by striking out the word "forestry" in line 4 of subsection one (1) of section two thousand five hundred eighty-seven (2587) of chapter one hundred twenty-five (125); to amend section two thousand six hundred seventeen (2617) of chapter one hundred twenty-six (126) by striking out the words "department of agriculture" in lines 5 and 6 and inserting in lieu thereof the words "conservation commission", all of said sections above referred to being sections of the 1931 Code of Iowa; to provide an adequate and flexible system for the propagation, protection, development and use of forests, fish, game, fur-bearing animals, waterfowl, non-game birds, lakes, streams, plant life, parks, preserves, archaeological subjects, historical and scenic areas, and other outdoor resources in the state of Iowa; to consolidate the present fish and game commission and the board of conservation of the state of Iowa; and to create a conservation commission to administer the laws with reference to the fish and game commission, the board of conservation and the forestry commissioner of the state of Iowa, was taken up and considered.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 115 by inserting immediately after section fourteen (14) of the bill the following, to-wit:

"Sec. 14-a1. Sections seventeen hundred three-d one (1703-d1) to seventeen hundred three-d ten (1703-d10), inclusive, seventeen hundred three-d fourteen (1703-d14), seventeen hundred three-d sixteen (1703-d16) to seventeen hundred three-d twenty-five (1703-d25), inclusive, seventeen hundred three-d twenty-nine (1703-d29), seventeen hundred three-d thirty (1703-d30), seventeen hundred ninety-five (1795) to seventeen hundred ninety-seven (1797), inclusive, eighteen hundred twenty-one

(1821), and twenty-six hundred four (2604), Code, 1931, are hereby repealed.

The motion prevailed and the amendment was adopted.

Senator Dewey was granted unanimous consent to withdraw the amendments to Senate File 115 filed by himself and others, and found on page 354 of the Senate Journal.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 115 by inserting immediately after section fourteen a-1 (14 a-1) of the bill the following, to-wit:

"Sec. 14-a2. Section twenty-five hundred eighty-seven (2587), Code, 1931, is hereby amended by striking from line 4 of subsection one (1), the following: 'forestry,'"

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 115 by inserting immediately after section fourteen a-two (14-a2) of the bill the following, to-wit:

"Sec. 14-a3. Section twenty-six hundred seventeen (2617), Code, 1931, is hereby amended by striking from lines 5 and 6 the words 'department of agriculture' and by inserting in lieu thereof the words 'conservation commission'."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 115 by striking the words "the Senate" in section one (1), line 3, and inserting in lieu thereof the words "two-thirds of the members of the Senate."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 115 by striking the words "the Senate" in section one (1), line 13, and inserting in lieu thereof "two-thirds of the members of the Senate."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 115 by adding after the word "custodians" in sec-

tion eight (8), line 10, the words "of biological life, waters and of state parks" and by striking the words "of state parks" in section eight (8), line 11.

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 115 by inserting after the word "and" as it appears the second time in section one (1), line 15, the word "substantial", and by striking the word "conservation" in section one (1), line 16, and inserting in lieu thereof the following, "subjects covered by this act."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 115 by inserting after the word "successor" in section two (2), line 3, the words "who shall have the same qualifications as provided for in the preceding section."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 115 by striking the words "the interest in conservation work" in section seven (7), lines 5 and 6, and inserting in lieu thereof the words "and interest in all subjects covered in this act."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 115 by inserting after the period in section eight (8), line 11, the following as a new sentence: "The commission shall employ no persons as conservation officers until they have satisfactorily passed a competitive examination, and, other qualifications being equal, only those of highest rank in the examination shall be so employed."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 115 by striking the words "biological survey" in section nine (9), line 2, and inserting in lieu thereof the word "biology."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 115 by striking from section five (5), lines 6 and 7, the following: "Three (3) members of the commission shall constitute a quorum for the transaction of business." and by adding as a new sentence in lieu thereof the following: "Three (3) members of the commission shall constitute a quorum and three (3) affirmative votes shall at all times be necessary legally to transact business."

The chair called for a division of the vote and announced that the motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 115 by inserting after the word "birds" in line 41 of the title the following, " , and other biological life."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 115 by striking from section seven (7), line 9, the words "and assistant director", and by striking from section seven (7), line 22, the words " , assistant director."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 115 by inserting after the word "word" in section seven (7), line 24, the word "necessary", and by inserting after the word "of" in section seven (7), line 25, the word "their".

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 115 by inserting after the word "other" in section eight (8), line 15, the word "necessary", and by inserting after the word "of" in section eight (8), line 16, the word "their."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 115 by striking the word "department" where it appears in section nine (9), line 2, section nine (9), line 4, section nine (9), line 5, section twelve (12), line 8, section twelve (12), line 9, section

twelve (12), line 10, section twelve (12), line 11, and section twelve (12), line 14, and inserting in lieu thereof in all such places the word "division."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 115 by striking the word "equable" in section twelve (12), line 15, and inserting in lieu thereof the word "equitable."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 115 by striking from section nine (9), line 3, the following, "and fur-bearing animals" and inserting in lieu thereof the following, "fur-bearing and other animals, birds and other wild life resources."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 115 by inserting after the comma in section nine (9), line 5, the following, "lakes, streams and other outdoor resources,".

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 115 by striking the words "attorney general" in section four (4), lines 5 and 6, and inserting in lieu thereof the word "Governor."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend the amendment to Senate File 115, which reads "Amend Senate File 115 by inserting after the word 'word' in section seven (7), line 24, the word 'necessary', and by inserting after the word 'of' in section seven (7), line 25, the word 'their' ", by striking in line 1 the quoted 'word' and inserting in lieu thereof the word "other."

The motion prevailed and the amendment to the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 115 in section nine (9), line 4, by inserting after the words "to include" the words "state waters,".

The motion prevailed and the amendment was adopted.

Senator Valentine moved that the bill be read a third time now and the bill as amended be placed on its passage, which motion prevailed, and the bill was read a third time.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 39:

Aschenbrenner	Dewey	Malone	Reese
Beardsley	Donohue	McArthur	Roelofs
Bell of Crawford	Doze	Meyer	Schmidt
Bell of	Driscoll	Miller	Shangle
Des Moines	Elthon	Millhone	Shaw
Berg	Fisch	Moore	Stevens of
Billingsley	Grunewald	Mullaney	Decatur
Byers	Hush	Nelson	Stevens of
Calhoun	Husted	Parker	Wapello
Chrystal	Irwin	Pendray	Valentine
Corwin	Kimberly		

Nays, 10:

Anderson	Harrington	Mason	Stanley
Baldwin	Hopkins	Patterson	Wilson
Goetsch	Knudson		

Absent or not voting, 1:

Geske

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

Senator Valentine moved that the vote by which Senate File 115 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

COPIES SENATE FILE 115 ORDERED

By unanimous consent, Senator Valentine ordered 600 copies of Senate File 115 printed, as finally passed by the Senate.

Senator Husted was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 150, by Senator Husted, a bill for an act to repeal section seven thousand two hundred fifty-five-B one (7255-B1) of the Code, 1931, to enact a substitute therefor, and to amend

sections seven thousand two hundred seventy-nine (7279) and seven thousand two hundred eighty-four (7284) of the Code, 1931, all relating to taxes and the collection thereof.

The bill was read first and second times and referred to the committee on county and township affairs.

Senate File 151, by Senator Husted, a bill for an act to amend section two (2) of chapter eighty-two (82) and paragraphs two (2) and three (3) of section sixty-two (62), chapter eighty-two (82), acts of the Forty-fifth General Assembly in Extraordinary Session, relating to the apportionment of certain special taxes.

The bill was read first and second times and referred to the committee on county and township affairs.

Senate File 152, by Senator Dewey, a bill for an act relating to the disposal of sewage, offal and filth adjacent to state-owned lakes, and prescribing certain restrictions pertaining thereto.

The bill was read first and second times and referred to the committee on conservation.

Senate File 153, by Senator Corwin (by request), a bill for an act to amend section five thousand one hundred twenty-five, (5125), Code, 1931, relating to compensation of supervisors.

The bill was read first and second times and referred to the committee on county and township affairs.

Senate File 154, by Senator Corwin (by request), a bill for an act to amend section five hundred twenty-three b-one (523-b1), Code, 1931, relating to the election of township trustees.

The bill was read first and second times and referred to the committee on county and township affairs.

The following concurrent resolution was filed:

SENATE CONCURRENT RESOLUTION 13

A concurrent resolution memorializing Congress to enact legislation promoting and encouraging the use of power alcohol as a motor fuel and for public works funds to construct a practical plant for manufacture of power alcohol from agricultural products.

Whereas, The market for agricultural food products has been curtailed by reduced exports to foreign countries, through displacement of animal power by mechanical power in transportation and industry, by reduction

in production of livestock as food for human consumption, and other correlated factors; and,

Whereas, The resulting price depressing influence on agricultural commodities has been reflected in economic distress and unemployment throughout the nation, culminating in national agricultural emergency that is being met and temporarily relieved by a reduction in production of staple agricultural products; and

Whereas, Restriction of agricultural production to food requirements only, is not conducive of employment or in keeping with a long time program of equality for agriculture; and,

Whereas, The manufacture of ethyl alcohol from agricultural products and its use in combination with gasoline as a motor vehicle fuel offers the greatest potential utilization of agricultural products; and,

Whereas, The restoring of prosperity to agriculture will result in industrial prosperity and general re-employment of idle labor, and,

Whereas, It is apparent that the supply of petroleum deposits, with current rate of consumption, is rapidly approaching exhaustion and when so exhausted cannot be replaced or substituted for except at greatly increased costs; and

Whereas, Agricultural production, through adequate returns permitting a fertility conservation program, can be maintained indefinitely and likewise expanded to meet increased demands; and,

Whereas, Many states are actively and vitally interested in promoting and encouraging, as a motor vehicle fuel, the use of ethyl alcohol manufactured from agricultural products grown or produced in continental United States; now, therefore,

Be It Resolved by the Senate of the State of Iowa, the House concurring: That we memorialize Congress to enact such legislation as may be deemed necessary to promote and encourage the manufacture of ethyl alcohol from agricultural products grown and produced in the continental United States; and to enact further legislation as will induce the use of said alcohol as blend with petroleum product for motor vehicle fuel purposes.

Be It Further Resolved: That the state of Iowa receive as a part of her allotment for contemplated public works administration projects, a sum sufficient to erect and equip a practical plant for the manufacture of power ethyl alcohol and by-products incidental thereto and to provide research facilities for further utilization of said by-products.

Be It Further Resolved: That the Secretary of the Senate be directed to mail copies of this resolution to President Franklin D. Roosevelt, to Secretary of Agriculture H. A. Wallace, to the Iowa members of the United States Congress and to the Secretaries of the Senate of the states of Nebraska, South Dakota, Minneosta, Illinois and Indiana.

FRED W. NELSON.

A. J. SHAW.

REPORTS OF COMMITTEES

Senator Mullaney submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs to which was referred House File 38, a bill for an act providing for the segregation by the county treasurer of taxes paid in the year 1935 which were due and owing prior to January 1, 1935, begs leave to report it has had the same under consideration and recommends the same do pass.

T. W. MULLANEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred House File 40, a bill for an act to amend section three hundred eighty-eight (388), Code, 1931, as amended by chapter sixty-two (62), section two (2), acts of the Forty-fifth General Assembly, Extraordinary Session, relating to the transfer of active county funds, begs leave to report it has had the same under consideration and recommends the same do pass.

T. W. MULLANEY, *Chairman.*

Ordered passed on file.

MOTION FILED

MR. PRESIDENT: I move to reconsider the vote by which Senate File 99 failed to pass the Senate.

PAUL W. SCHMIDT.

AMENDMENTS FILED

Amend Senate File 113, section twenty-three (23), line 4, by striking the words "eight per cent" and inserting in lieu thereof the words "the legal rate."

J. E. DOZE.

Amend Senate File 112, as follows:

Amend section four (4) of Senate File 112 by striking out the word "third" in line 5 of said section and inserting in lieu thereof the word "first", and by striking out the word "February" in line 6 of said section and inserting in lieu thereof the word "April", and by striking out the words "and the third Monday in August" in line 6 of said section.

Further amend said section four (4) by striking out all after the period in line 39 of said section to and including the period in line 42 thereof and by inserting in lieu thereof the following: "After the property has once been offered at the sealed bid sale as herein described and not sold thereat, the tax levying or certifying bodies having an interest therein, shall fix the price at which they will be willing to sell all or any part or parcel of such property, provided that such price shall not be less than the highest amount bid for said property at the last sealed bid sale. Such property may then be offered for sale by the tax levying or certifying bodies controlling same. The selling price so fixed shall be acceptable only until the first Monday in the following April."

Amend section eleven (11) of said Senate File 112 by striking out the words "be sold to a county through the county auditor or deputy county auditor, then" following the word "question" in line 5 of said section, and inserting in lieu thereof the following: "had been advertised for sale and sold for taxes or special assessments delinquent for two (2) years or more, then."

ROY E. STEVENS.

GEO. A. WILSON.

E. P. CORWIN.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 7, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Invocation was delivered by Rev. O. T. Erickson, pastor of the Bethlehem Lutheran church of Fort Dodge.

The Journal of March 6, 1935, was approved.

PETITIONS AND MEMORIALS

The following petitions favoring the tax on the so-called "chain stores" doing business in the state was received and filed, to be referred to the committee on cities and towns:

Senator Goetsch, from residents of Winneshiek and Howard counties; Senator Kimberly, from residents of Scott county; Senator Elthon, from residents of Mitchell county; Senator Shaw, from residents of Pocahontas and Humboldt counties; Senator Doze, from residents of Wayne county; Senator Meyer, from residents of Bremer county; Senator Berg, from residents of Black Hawk and Grundy counties; Senator Dewey, from residents of Henry and Washington counties; Senator Driscoll, from residents of Lee county; Senator Corwin, from residents of Louisa county; Senator Grunewald, from residents of Benton county.

The following petition opposing the tax on the so-called "chain stores" doing business in the state were received and filed, to be referred to the committee on cities and towns:

Senator Billingsley, from residents of Jasper county.

The following petitions opposing the basic science bill were received and filed, to be referred to the committee on public health:

Senator Kimberly, from residents of Scott county; Senator Stevens of Decatur, from residents of Union county; Senator Patterson, from residents of Emmet county.

The following petitions favoring the basic science bill were received and filed, to be referred to the committee on public health:

Senator Shaw, from residents of Humboldt county; Senator Byers, from residents of Linn county; Senator Elthon, from residents of Webster county.

The following petitions were received and filed, to be referred to the designated committees:

Senator Kimberly, from residents of Scott county, opposing House Joint Resolution 4. Committee on ways and means.

Senator Millhone, from residents of Page county, opposing House File 101. Committee on insurance.

Senator Elthon, from Ladies' Auxiliary Association of Grafton, favoring Senate Files 49 and 50. Committee on public health.

Senator Berg, from residents of Black Hawk county, opposing House Joint Resolution 4. Committee on ways and means.

Senator Elthon, from Kensett Parent Teachers Association, in regard to allocation of taxes. Committee on ways and means.

INTRODUCTION OF BILLS

Senate File 155, by Senator McArthur, a bill for an act to amend section fifty-six hundred ninety-four (5694) of chapter two hundred eighty-seven (287), Code, 1931, relating to the chief of fire department in cities under the manager plan.

The bill was read first and second times and referred to the committee on cities and towns.

Senate File 156, by committee on state planning, a bill for an act to prevent frauds and impositions upon producers, shippers and buyers of livestock, by regulating the practices of buyers thereof, and to provide for: (a) definitions of secretary, livestock, packer, packer buyers, and person, for the purpose of the act; (b) the establishment by the Secretary of Agriculture of standards for the classification of livestock for commercial purposes; (c) the making and enforcing of rules and regulations by the secretary for securing compliance with said act; (d) making purchases of livestock by reference to such standards; (e) requiring posting and reporting of offers and purchases by packer buyers having a fixed place of business and buying at the rate of thirty

thousand (30,000) head a year; (f) prohibiting purchases at different prices than posted; (g) delivery of original and filing of duplicate sales tickets showing detail of purchases; (h) prohibiting allocation of territory among packer buyers, discrimination in prices paid for livestock between persons or places; (i) making punishable false or fictitious charges, fraudulent failures to account or settle for sales, false statements as to market conditions, combinations to fix prices, false report, alterations of sales tickets and other notations of the act; (j) requiring bond from packer buyers for compliance with act and giving direct action thereon, and fixing the time and place, therefor; (k) the construction and interpretation of the act.

The bill was read first and second times and placed on the calendar.

Senate File 157, by Senator Beardsley, a bill for an act to amend section forty-one hundred eighty-four (4184), Code, 1931, relating to the subjects required in consolidated districts.

The bill was read first and second times and referred to the committee on public schools.

Senate File 158, by Senator Bell of Des Moines, a bill for an act to amend section ninety-one hundred nineteen (9119), Code, 1931, relating to licensing of agents.

The bill was read first and second times and referred to the committee on insurance.

Senate File 159, by committee on livestock and dairy, a bill for an act to regulate the purchase, sale, handling and treatment of cream; to provide for the grading of cream and for the issuance of licenses authorizing such grading; to provide for the issuance of licenses as a condition precedent to the operation of creameries, cream stations, and cream routes; to prohibit the sale for human consumption of unlawful cream, as herein defined; and to provide penalties for the violation of this act.

The bill was read first and second times and placed on the calendar.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 46, 113 and 114.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files 46, 113 and 114.

Senator Shaw was granted unanimous consent to return to the introduction of resolutions.

SENATE CONCURRENT RESOLUTION 14

A resolution memorializing the President of the United States and the Congress of the United States with reference to the program of rehabilitation, to include therein a small farm plan to be financed upon easy terms of payment for actual farmers.

Whereas, There exists in the United States a condition of unemployment whereby millions of its citizens are without the opportunity to maintain themselves and have thereby become charges on society, and

Whereas, Vast numbers of these are practical farmers who by reason of the exigencies of the times have been deprived of the land on which they have heretofore supported their families, and

Whereas, Other vast numbers of our citizens could, if afforded small farms of forty (40) to eighty (80) acres each, again become self-supporting, and

Whereas, By reason of the depression, land prices have decreased to a point far below normal and intrinsic value and through foreclosure vast quantities of such land have passed into the hands of insurance companies and other corporations to their burden and distress, and

Whereas, The government is spending large sums and through its agencies is proposing to spend large sums for the rehabilitation of these citizens in distress, and

Whereas, The state of Iowa with its vast areas of fertile land affords opportunities for subsistence farming which would not only relieve unemployment conditions permanently to a large extent, but would likewise in large part, solve the problem of over-production by removing vast areas from competitive production, therefore

Be It Resolved by the Senate of the State of Iowa, the House of Representatives of the State of Iowa concurring: That we recommend to the President of the United States and to its Congress that in the program of rehabilitation to be instituted there be included a small farm plan under which deserving citizens equipped by experience or temperament therefor may be afforded an opportunity to acquire and equip small farms of forty

(40) to eighty (80) acres on easy terms of payment and at low rates of interest to the end that the unemployment situation may be permanently relieved and that farming lands may again become the property of those desiring to farm and live upon such land and that the accumulation of farm land by corporations and speculators may be checked.

Be It Further Resolved: That copies of this resolution be transmitted to the President of the United States, to its Secretary of Agriculture and to each house of Congress.

SAM D. GOETSCH.

A. J. SHAW.

COPIES OF SENATE FILE 133 ORDERED

By unanimous consent, Senator Stevens of Decatur ordered six hundred (600) copies of Senate File 133 printed.

SENATE FILE 60 PLACED ON CALENDAR

Senator Mason was granted unanimous consent to have Senate File 60 withdrawn from the committee on agriculture, under Rule 35, and it be placed on the calendar.

SENATE FILES WITHDRAWN

By unanimous consent, Senator Fisch withdrew Senate File 97 from further consideration by the Senate.

Senator Hopkins was granted unanimous consent to withdraw Senate File 75 from further consideration by the Senate.

SENATE FILE 64 INDEFINITELY POSTPONED

Senate File 64, a bill for an act to amend section thirteen thousand two hundred three (13203), Code, 1931, relating to the forfeiture of property used in connection with a game of chance, lottery, gambling scheme or gift enterprise, and providing for the forfeiture of any gambling device or machine used in connection with any game of chance, lottery or gift enterprise, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Concurrent Resolution 7, memorializing the Congress of the

United States to amend the rules and regulations of making loans by the Federal Land Bank.

Also: That the House has amended and adopted the following Senate concurrent resolution as amended in which the concurrence of the House was asked:

Senate Concurrent Resolution 9, resolving that a committee be appointed to make a thorough examination of the two elevators in the capitol building.

VIRGIL LEKIN, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE CONCURRENT RESOLUTION 9

1. Strike the word "two" in line 7 and insert in lieu thereof the word "all."

2. Strike the words "capitol building" in line 7 and insert in lieu thereof the words "state buildings."

SENATE FILE 68 PLACED ON CALENDAR

Senate File 68, a bill for an act to amend section eleven thousand seven hundred thirty-two (11732), Code of 1931, relating to plan of division of land at execution sale, with report of committee recommending indefinite postponement, was taken up.

Senator Byers moved that the committee report be adopted.

Roll call was requested.

The question was, Shall the committee report be adopted?

On the question, Shall the committee report be adopted? the vote was:

Ayes, 5:

Byers	Donohue	Millhone	Valentine
Calhoun			

Nays, 37:

Anderson	Fisch	Mason	Roelofs
Baldwin	Geske	Meyer	Schmidt
Bell of	Goetsch	Miller	Shangle
Des Moines	Grunewald	Moore	Shaw
Berg	Hopkins	Mullaney	Stanley
Chrystal	Hush	Nelson	Stevens of
Corwin	Husted	Parker	Decatur
Dewey	Kimberly	Patterson	Stevens of
Doze	Knudson	Pendray	Wapello
Elthon	Malone	Reese	Wilson

Absent or not voting, 8:

Aschenbrenner	Bell of Crawford	Driscoll	Irwin
Beardsley	Billingsley	Harrington	McArthur

The motion to adopt the committee report was lost and the bill was ordered to be placed on the calendar.

ACTION ON SENATE FILES 76 AND 108 DEFERRED

By unanimous consent granted Senator Wilson, action on Senate File 76 was deferred and the bill was ordered to retain its place on the calendar.

By unanimous consent granted Senator Roelofs, action on Senate File 108 was deferred and the bill was ordered to retain its place on the calendar.

CONSIDERATION OF SENATE FILE 113 RESUMED

Senate File 113, a bill for an act to revise and modernize the laws relating to co-operative corporations with and without capital stock; to define such corporations, and other terms; to provide for the incorporation, regulation, renewal, dissolution and internal affairs of such corporations; to define their necessary and permissible powers and activities; to provide for classes of stockholders and the rights, privileges, duties and obligations of stockholders and members; to exempt certain co-operative securities from the Iowa securities act; to permit marketing contracts and provide remedies thereon; to require certain fees, reports and penalties; to regulate the use of the word "co-operative"; to extend the act to certain existing co-operatives; to permit the admission of foreign co-operatives; to repeal inconsistent laws, including chapters three hundred eighty-nine (389) and three hundred ninety (390) of the 1931 Code of Iowa, and for other related purposes, was again taken up and considered.

Senator Doze offered the following amendment and moved its adoption:

Amend Senate File 113, section twenty-three (23), line 4, by striking the words "eight per cent" and inserting in lieu thereof the words "the legal rate."

The motion prevailed and the amendment was adopted.

Senator McArthur was granted unanimous consent to have the Nelson-McArthur amendment to Senate File 113, as adopted by the Senate and found on page 384 of the Senate Journal, corrected by changing the figure "8", following the first word "line", to the figure "7"; and by changing the figure "14", following the

second word "line", to the figure "5", in order that the amendment might conform with the original bill rather than the printed bill.

Senator Doze moved to reconsider the vote by which his amendment to Senate File 113 was adopted. The motion prevailed.

On the question, Shall the Doze amendment be adopted? the amendment was lost.

Senator McArthur moved that the bill be read a third time now and the bill as amended be placed on its passage, which motion prevailed, and the bill was read a third time.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 44:

Anderson	Doze	Mason	Roelofs
Baldwin	Elthon	McArthur	Schmidt
Beardsley	Fisch	Meyer	Shangle
Bell of Crawford	Geske	Miller	Shaw
Bell of	Goetsch	Millhone	Stanley
Des Moines	Grunewald	Moore	Stevens of
Berg	Hopkins	Mullaney	Decatur
Byers	Hush	Nelson	Stevens of
Calhoun	Husted	Parker	Wapello
Corwin	Kimberly	Patterson	Valentine
Dewey	Knudson	Pendray	Wilson
Donohue	Malone	Reese	

Nays, none.

Absent or not voting, 6:

Aschenbrenner	Chrystal	Harrington	Irwin
Billingsley	Driscoll		

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

Senator McArthur moved to reconsider the vote by which Senate File 113 passed the Senate and the motion to reconsider be laid on the table, which motion prevailed.

ACTION ON SENATE FILE 47 DEFERRED

By unanimous consent granted Senator Valentine, action on Senate File 47 was deferred and the bill was ordered to retain its place on the calendar.

THIRD READING OF BILLS

Senate File 35, a bill for an act to provide for and designate the twelfth day of October of each year as a state holiday, naming the same as Columbus Day, and to provide for the display of the flag of the United States on all state buildings, and to set aside a time for memorials in schools, churches and other suitable places, so as to be in accord with similar legislative enactments of other states and with the act of the United States Congress approved on April 30, 1934, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Meyer offered the following amendment and moved its adoption:

Amend Senate File 35 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section ninety-five hundred forty-five (9545), is hereby amended by inserting after the comma following the word 'September' in line 6, the following, to wit: 'the twelfth day of October'."

The motion prevailed and the amendment was adopted.

Senator Wilson offered the following amendment to the amendment just adopted and moved its adoption:

Amend the Meyer amendment to Senate File 35 by inserting in line 3 after the comma therein the following: "Code, 1931,".

The amendment to the amendment was adopted.

Senator Valentine was granted unanimous consent to insert a comma after the last word of the Meyer amendment.

Senator Meyer offered the following amendment and moved its adoption:

Amend the title of Senate File 35, by striking all after line 1 and inserting in lieu thereof the following, to wit:

"as a holiday and to this end to amend section ninety-five hundred forty-five (9545), Code, 1931."

The motion prevailed and the amendment was adopted.

Senator Baldwin was granted unanimous consent to have the Meyer amendment to the title of Senate File 35 corrected by changing the word and figure "line 1" to "the word 'year' in line 2", in order that the amendment might conform with the original bill rather than the printed bill.

Senator Baldwin moved that the bill be read a third time now and the bill as amended be placed on its passage, which motion prevailed, and the bill was read a third time.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 28:

Anderson	Donohue	McArthur	Shangle
Baldwin	Doze	Meyer	Stevens of
Beardsley	Geske	Moore	Decatur
Bell of Crawford	Goetsch	Mullaney	Stevens of
Bell of	Grunewald	Patterson	Wapello
Des Moines	Knudson	Reese	Valentine
Berg	Malone	Roelofs	Wilson
Chrystal	Mason	Schmidt	

Nays, 3:

Fisch	Hopkins	Husted
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Absent or not voting, 19:

Aschenbrenner	Dewey	Irwin	Parker
Billingsley	Driscoll	Kimberly	Pendray
Byers	Elthon	Miller	Shaw
Calhoun	Harrington	Millhone	Stanley
Corwin	Hush	Nelson	

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

ACTION ON BILLS DEFERRED

By unanimous consent granted Senator Wilson, action on House File 17 was deferred and the bill was ordered to retain its place on the calendar.

By unanimous consent granted Senator Wilson, action on Senate File 112 was deferred and the bill was ordered to retain its place on the calendar.

By unanimous consent granted Senator Valentine, action on House File 28 was deferred and the bill was ordered to retain its place on the calendar.

THIRD READING OF BILLS

House File 115, a bill for an act to repeal sections forty-four hundred forty (4440) to forty-four hundred forty-five (4445), inclusive, Code, 1931, relating to state aid for certain school activi-

ties, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Pendray moved that the bill be read a third time now and the bill be placed on its passage, which motion prevailed, and the bill was read a third time.

The question was, Shall the bill pass?

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

Ayes, 28:

Beardsley	Fisch	Millhone	Shaw
Bell of Crawford	Geske	Nelson	Stanley
Berg	Grunewald	Patterson	Stevens of
Calhoun	Hush	Pendray	Decatur
Chrystal	Malone	Reese	Stevens of
Donohue	Mason	Roelofs	Wapello
Doze	McArthur	Shangle	Valentine
Elthon	Miller		

Nays, 14:

Anderson	Corwin	Kimberly	Parker
Baldwin	Dewey	Meyer	Schmidt
Bell of	Hopkins	Moore	Wilson
Des Moines	Husted	Mullaney	

Absent or not voting, 8:

Aschenbrenner	Byers	Goetsch	Irwin
Billingsley	Driscoll	Harrington	Knudson

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

Senator Pendray moved to reconsider the vote by which House File 115 passed the Senate and the motion to reconsider be laid on the table, which motion prevailed.

Senator Reese was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 160, by Senator Reese, a bill for an act to amend section twelve thousand forty-one (12041) as amended by chapter one hundred eighty (180), acts Forty-fifth General Assembly, relating to appointment of referees in probate matters.

The bill was read first and second times and referred to the committee on judiciary No. 1.

Senate File 161, by Senator Reese, a bill for an act to regulate

the exhibitions of motion pictures in theatres, places of amusement, and public buildings, and to provide for the protection and safety of patrons and employees, and to prescribe methods for fire prevention in connection with the use of motion picture machines and prescribing a penalty for the violation thereof.

The bill was read first and second times and referred to the committee on cities and towns.

Senate File 162, by Senator Elthon, a bill for an act to amend sections twenty-nine hundred sixty-seven (2967) and twenty-nine hundred sixty-eight (2968), Code, 1931, relating to liens for services of stallions and jacks.

The bill was read first and second times and referred to the committee on livestock and dairy.

RESIGNATION OF COMMITTEE CLERK

I hereby tender my resignation as committee clerk to Senator James M. Bell, to take effect immediately.

R. E. STEINBRECHER.

The resignation was accepted.

N. G. KRASCHEL.

REPORT OF COMMITTEE ON COMMITTEE CLERKS

MR. PRESIDENT: Your committee on committee clerks has assigned James H. Johnson as clerk to Senator James M. Bell.

PAUL H. ANDERSON.

JAMES M. BELL.

WILLIAM S. BEARDSLEY.

REPORT OF COMMITTEE

Senator Pendray submitted the following report:

MR. PRESIDENT: Your committee on public schools to which was referred House File 118, a bill for an act to repeal sections thirty-seven hundred fourteen (3714) and thirty-seven hundred fifteen (3715), Code, 1931, and to enact a substitute therefor, and so to amend thirty-seven hundred two (3702), thirty-seven hundred seventeen (3717) and thirty-seven hundred nineteen (3719) of said code as to coordinate said sections with chapter four hundred seventy-three (473), Code, 1931, relating to the adoption of children, begs leave to report it has had the same under consideration and recommends the same do pass.

CAROLYN C. PENDRAY, *Chairman*.

Ordered passed on file.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 8, 1935.

The Senate met in regular session, Senator George A. Wilson presiding.

Prayer was offered by Rev. C. V. Pence, pastor of the Christian church at Elkhart.

The Journal of March 7, 1935, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Billingsley for the day, on request of Senator Beardsley.

PETITIONS AND MEMORIALS

The following petitions favoring the tax on the so-called "chain stores" doing business in the state, were received and filed, to be referred to the committee on cities and towns:

Senator Kimberly, from residents of Scott county; Senator Dewey, from residents of Henry county; Senator Donohue, from residents of Chickasaw county; Senator Mullaney, from residents of Fayette county; Senator Chrystal, from residents of Sac county; Senator Driscoll, from residents of Lee county; Senator Wilson, from residents of Polk county; Senator Shaw, from residents of Pocahontas county; Senator Irwin, from residents of Clinton county; Senator Nelson, from residents of Story and Boone counties.

The following petitions opposing the tax on the so-called "chain stores" doing business in the state, were received and filed, to be referred to the committee on cities and towns:

Senator Dewey, from residents of Washington county; Senator Schmidt, from residents of Johnson county; Senator Wilson, from residents of Polk county; Senator Harrington, from residents of Woodbury county.

The following petitions favoring the basic science bill, were received and filed, to be referred to the committee on public health:

Senator Byers, from residents of Lynn county; Senator Beardley, from residents of Warren county; Senator Baldwin, from residents of Dubuque county; Senator Wilson, from residents of Polk county; Senator Nelson, from residents of Boone county.

The following petitions opposing the basic science bill, were received and filed, to be referred to the committee on public health:

Senator Meyer, from residents of Butler county; Senator Stevens, from residents of Wapello county; Senator Malone, from residents of Cass county; Senator Mullaney, from residents of Allamakee county; Senator Wilson, from residents of Polk county; Senator Irwin, from residents of Clinton county; Senator Nelson, from residents of Boone county; Health committee, from residents of Cedar Rapids; Senator Bell of Crawford, from residents of Monona county.

The following petitions were received and filed, to be referred to the designated committees:

Senator Goetsch, from residents of Winneshiek county, favoring Senate File 133. Committee on manufacturing, commerce and trade.

Senator Corwin, from residents of Muscatine, opposing House File 101. Committee on ways and means.

Senator Irwin, from residents of Clinton county, favoring House File 101. Committee on ways and means.

Senator Billingsley, from residents of Jasper county, opposing House File 101. Committee on ways and means.

INTRODUCTION OF BILLS

Senate File 163, by committee on motor vehicles, a bill for an act to repeal chapter two hundred fifty-two-a one (252-a1), chapter two hundred fifty-two-a two (252-a2), and chapter two hundred fifty-two-c one (252-c1), of the Code, 1931; to define common, contract and private motor carriers; to provide for the supervision and regulation by the board of railroad commissioners of the use of the highways of this state by those engaged in the

transportation thereon of passengers or property for hire; to provide that no common motor carrier shall hereafter operate as a common motor carrier without having obtained from the board of railroad commissioners a certificate of convenience and necessity, and that no contract motor carrier or private motor carrier shall hereafter operate as a contract motor carrier or a private motor carrier without having obtained from the board of railroad commissioners a permit; to provide for the levy and collection of a tax to be paid by common, contract and private motor carriers for the construction, maintenance, repair, and reconstruction of such highways; to provide for the furnishing of insurance or surety bonds by common, contract and private carriers; to authorize cities and towns by ordinance to adopt general rules of operation and to designate the streets or routes over which common and contract motor carriers shall travel; to provide for appeals from the decisions of the board of railroad commissioners; to provide for the disposition of moneys collected hereunder; to provide for the administration and enforcement of the provisions of this act, including the establishment of stations for the registration, inspection and regulation of and the collection of tax from common, contract and private motor carriers entering this state, and to provide punishment for the violation of the provisions hereof.

The bill was read first and second times and placed on the calendar.

Senate File 164, by Senators Chrystal and Roelofs, a bill for an act to empower the county board of supervisors to establish, maintain, improve, and beautify public parks within the county.

The bill was read first and second times and referred to the committee on county and township affairs.

Senate Joint Resolution 8, by Senators Stanley, Shaw, Bell of Crawford, Calhoun and Millhone, a joint resolution proposing an amendment to the constitution of the state of Iowa granting the right to the General Assembly to authorize the return of a verdict in a civil case upon the concurrence of nine (9) of the members of the jury.

The joint resolution was read first and second times and referred to the committee on judiciary No. 1.

Senate Joint Resolution 9, by Senators Stanley, Shaw, Bell of

Crawford, Calhoun and Millhone, a joint resolution proposing to amend the constitution of the state of Iowa relating to the right of a person accused of a crime for which a sentence of death cannot be imposed to waive trial by jury.

The joint resolution was read first and second times and referred to the committee on judiciary No. 1.

Senate Joint Resolution 10, by Senators Stanley, Shaw, Bell of Crawford and Millhone, a joint resolution proposing an amendment to the constitution of the state of Iowa by granting to the General Assembly authority to enact laws permitting a return of verdicts in criminal cases other than those in which the penalty of death may be imposed, upon a concurrence of not less than ten (10) members of such juries.

The joint resolution was read first and second times and referred to the committee on judiciary No. 1.

Senate File 165, by committee on motor vehicles, a bill for an act to amend section five thousand fifty-five-b one (5055-b1) and section five thousand fifty-five-b two (5055-b2), Code of Iowa, 1931, relating to lights on tractors, trucks, road graders or road machinery operated on the highways.

The bill was read first and second times and placed on the calendar.

Senate File 166, by Senators Grunewald, Nelson and Shaw, a bill for an act to amend sections two (2) and three (3) of chapter fifty-six (56), acts of the Forty-fifth General Assembly, Extraordinary Session, relating to motor vehicle license fees; to designate power alcohol as a motor vehicle fuel; to define power alcohol; to define power alcohol blend; to fix the minimum percentage of use of power alcohol in motor vehicles; and to provide a differential license fee on power alcohol blends to encourage its use.

The bill was read first and second times and referred to the committee on agriculture.

Senate File 167, by Senators Husted, Hopkins and Nelson, a bill for an act to amend chapter twenty-four (24) of the laws of the Forty-fifth General Assembly, Extraordinary Session, by providing for the creation of a special state liquor damage fund; for the payment from such funds of damages occurring from use

of intoxicants; creating the office of commissioner of liquor damages, and defining his duties and providing for assistance and payment of salaries and expenses of the office; authorizing the filing, allowance and payment from such fund of claims for damages occurring from the use of intoxicants by others; and providing for hearings and evidence and proceedings for making, allowance and payment of such damage claims.

The bill was read first and second times and referred to the committee on judiciary No. 2.

Senate File 168, by Senators Calhoun, Elthon and Schmidt, a bill for an act to repeal the law as it now appears in chapter one hundred eighteen (118), Code, 1931, and to enact a substitute therefor regulating the practice of osteopathy and of osteopathy and surgery.

The bill was read first and second times and referred to the committee on public health.

SENATE CONCURRENT RESOLUTION 13 CONSIDERED

Senator Nelson called up for consideration Senate Concurrent Resolution 13, as found on pages 391 and 392 of the Senate Journal.

The concurrent resolution was read for information.

On motion of Senator Nelson the concurrent resolution was adopted.

HOUSE AMENDMENTS CONSIDERED

Senator Schmidt called up for consideration Senate Concurrent Resolution 9, amended by the House, and moved that the Senate concur in the following amendments:

1. Strike the word "two" in line 7 and inserting in lieu thereof the word "all."
2. Strike the words "capitol building" in line 7 and insert in lieu thereof the words "state buildings."

The motion prevailed and the Senate concurred in the House amendments to Senate Concurrent Resolution 9.

SENATE CONCURRENT RESOLUTION 11 CONSIDERED

Senator Patterson called up for consideration Senate Concurrent Resolution 11, as found on pages 360, 361 and 362 of the Senate Journal.

The concurrent resolution was read for information.

Senator Harrington moved the previous question on all pending amendments on file and the adoption of the concurrent resolution.

The chair called for a division of the vote and announced that the motion prevailed.

Senator Hush offered the following amendment and moved its adoption:

Amend Senate Concurrent Resolution 11 by striking all of the second paragraph beginning with the word "Whereas."

The motion prevailed and the amendment was adopted.

Senator Patterson offered the following amendment and moved its adoption:

Amend Senate Concurrent Resolution 11 by striking the word "prohibitive" in line 3 of the title and substituting the word "such" in lieu thereof. Further amend said resolution by striking the words "upon and close the ports of the United States to" in line 4 of the title and insert in lieu thereof the words "as will restrict."

The motion prevailed and the amendment was adopted.

Senator Patterson moved that the concurrent resolution be adopted.

Roll call was requested.

The question was, Shall the concurrent resolution as amended be adopted?

On the question, Shall the concurrent resolution as amended be adopted? the vote was:

Ayes, 28:

Anderson	Donohue	Kimberly	Pendray
Aschenbrenner	Elthon	Knudson	Roelofs
Beardsley	Geske	Mason	Shaw
Berg	Goetsch	Millhone	Stanley
Byers	Hopkins	Nelson	Stevens of
Calhoun	Hush	Parker	Wapello
Corwin	Husted	Patterson	Wilson
Dewey			

Nays, 19:

Baldwin	Fisch	Meyer	Schmidt
Bell of Crawford	Grunewald	Miller	Shangle
Bell of	Harrington	Moore	Stevens of
Des Moines	Malone	Mullaney	Decatur
Chrystal	McArthur	Reese	Valentine
Doze			

Absent or not voting, 3:

Billingsley	Driscoll	Irwin
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Rule 8 was invoked.

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

COPIES OF SENATE FILES 141 AND 36 ORDERED

Senator Schmidt was granted unanimous consent to have 600 copies of Senate File 141 printed.

By unanimous consent granted Senator Knudson, it was ordered that 600 copies of Senate File 36 be printed.

SENATE FILE 156 REFERRED

By unanimous consent granted Senator Patterson, it was ordered that Senate File 156 be referred to the committee on agriculture.

SENATE FILE 112 MADE SPECIAL ORDER

Senator Stevens of Wapello was granted unanimous consent that Senate File 112 be made a special order of business for 10:30 a. m. Tuesday, March 12, 1935.

SENATORS EXCUSED FROM ROLL CALLS

By unanimous consent granted Senator Baldwin, it was ordered that the various Senators serving on the investigating committees be excused from all roll calls during their absence from the Senate for such service, excepting upon the issuance of a call of the Senate.

COPIES OF SENATE FILE 113 ORDERED

Senator Elthon was granted unanimous consent to have 600 copies of Senate File 113 printed.

SENATE FILE 163 REFERRED

Senator Valentine was granted unanimous consent to have Senate File 163 rereferred to the committee on motor vehicles.

PUBLIC HEARING ANNOUNCED

Senator Valentine announced that a public hearing on Senate File 163 will be held on Thursday at 1:30 p. m.

COPIES OF SENATE FILE 163 ORDERED

By unanimous consent granted Senator Valentine, it was ordered that 2400 copies of Senate File 163 be printed.

Senator Nelson was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 169, by Senator Berg, a bill for an act prescribing the color of school buses used for the transportation of school children and providing penalty for the violation thereof.

The bill was read first and second times and referred to the committee on public schools.

Senate File 170, by Senators Husted, Hopkins and Nelson, a bill for an act to amend chapter eighty-two (82), acts of the extra session of the Forty-fifth General Assembly, and chapter sixty-two (62), acts of the Forty-fifth General Assembly, so as to provide for allocating a portion of the proceeds of the tax authorized by said chapter eighty-two (82) to the school districts of the state, to replace a corresponding portion of the property tax, and to provide the method of allocation.

The bill was read first and second times and referred to the committee on ways and means.

Senate File 171, by Senator Grunewald, a bill for an act to amend section three thousand seventy-one (3071), Code, 1931, relating to production and sale of dairy products, and to repeal subsection two (2) of section three thousand seventy-two (3072), Code, 1931, relating to "exemptions" in section three thousand seventy-one (3071), Code, 1931, and to amend section three thousand seventy-three (3073), Code, 1931, and to define milk and cream.

The bill was read first and second times and referred to the committee on livestock and dairy.

PROOFS OF PUBLICATION

The official proof of publication of Senate File 117, a bill for an act to legalize the action of the county auditor and county board of supervisors of Wayne county, Iowa, in making expenditures and issuing warrants in 1934 against the poor fund of said county; to make said warrants the legal, valid, and binding obligations of said county, and to authorize the county treasurer of said county to pay said warrants out of any funds coming into his hands in 1935 and belonging to the poor fund of said county, was duly filed with the Secretary of the Senate in compliance with the provisions of section ten thousand three hundred fifty-eight (10358) of the Code, 1931.

The official proofs of publication of Senate File 126, a bill for an act to legalize the proceedings of the governing bodies of certain cities, including cities acting under special charter, relating to written agreements evidencing and acknowledging the obligations of said cities to certain active and/or retired firemen and/or policemen, and to declare that said proceedings, or written certificates evidencing the same, constitute competent and conclusive evidence as to the obligations therein agreed to by each said city, was duly filed with the Secretary of the Senate in compliance with the provisions of section ten thousand three hundred fifty-eight (10358) of the Code, 1931.

HEDO M. ZACHERLE, *Secretary of the Senate.*

COMMUNICATION RECEIVED

The following communication was received and placed on file:

CONGRESS OF THE UNITED STATES

House of Representatives, Washington, D. C.

March 6, 1935.

Hedo M. Zacherle,
Secretary, Iowa State Senate,
Des Moines, Iowa.

DEAR FRIEND: I am in agreement with your ideas as expressed in your resolutions that a lower rate of interest is a prime necessity for agriculture and is a thing that should be given to farmers at once. At the time of the passage of the present federal farm loan act, I was one of the three members in the agriculture committee who insisted on this very thing; but we were beaten in the committee. We then filed a minority report and presented it to Congress in which among other things we presented our views with regard to reduced rates of interest on farm loans. We were not able to get sufficient votes, however, so the project failed.

At the time of the passage of the act I moved to substitute on the floor of Congress three and one-half (3½) per cent as the basic rate instead of the rate named in the bill. But even this was denied us.

Just now I am giving at least half of my attention to the so-called Wheeler amendment which will make the federal farm loan interest rate three and one-half (3½) per cent. Senator Wheeler succeeded in getting

this amendment tacked onto the bill which we call the "Farm Credit Act of 1935." This new bill makes some administrative changes in the farm credit act but these changes do not affect the legislation very materially. When the bill came up in the Senate, Senator Wheeler, as stated above, carried his amendment by a narrow margin. It is now over here on the House side and some of us are giving almost undivided attention to it. But the chairman of the committee is against it and we are having a hard time to bring it out of the committee and get it upon the floor of Congress for a vote. The administration does not favor it and as you know the Democrats have three (3) votes to our one (1) over in the House. However, this is not a party question and party lines were in the beginning not drawn very closely on it. However, in the past few days it is very evident that the boys have had instructions from the whips and the leaders and the outlook for getting this bill out of the committee for a vote is doubtful. The leaders do not want the bill to come out for a record vote so as to put some of the boys on the spot. If we could get cheaper rates of interest for farm mortgages, it would help materially. And if the city fellows would go in with us, we might get a good vote for the proposition. While the outcome is doubtful, we are doing the best we can and if we have to be beaten, we will go down fighting.

In addition to this we are also trying to get the Frazier-Lemke bill out for a vote and this likewise is being pigeonholed in the committee and under the abominable rules of the House it is doubtful whether we can ever bring it to the floor of the House at this session.

Sincerely yours, FRED C. GILCHRIST.

REPORTS OF COMMITTEES

Senator Malone submitted the following report:

MR. PRESIDENT: Your committee on emergency legislation to which was referred House File 1, a bill for an act to repeal section twelve thousand three hundred and seventy-seven (12377), Code, 1931, relating to general executions for balance, begs leave to report it has had the same under consideration and recommends the same do pass.

C. E. MALONE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on emergency legislation to which was referred House File 120, a bill for an act to amend chapter five hundred twenty-five (525), Code, 1931, providing for limiting personal deficiency judgments in the foreclosure of real estate mortgages, begs leave to report it has had the same under consideration and recommends the same do pass.

C. E. MALONE, *Chairman.*

Ordered passed on file.

Senator Moore submitted the following report:

MR. PRESIDENT: Your committee on public health to which was referred Senate File 20, a bill for an act to establish a board of examiners

in the basic sciences, to provide for its organization, powers, duties and compensation, to provide for examination in the basic sciences, authorizing such a board to issue a certificate of proficiency in the basic sciences, etc., begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Strike out all after the enacting clause and insert in lieu thereof the following:

"Section 1. This act shall be known as the "Iowa basic science law."

"Sec. 2. Definitions for the purpose of this act:

(a) The basic sciences shall mean the following subjects: 1—Anatomy; 2—Physiology; 3—Chemistry; 4—Pathology; 5—Bacteriology; 6—Hygiene.

(b) The practice of the healing art shall mean holding one's self out as being able to diagnose, treat, operate or prescribe for any human disease, pain, injury, deformity or physical or mental condition and who shall either offer or undertake, by any means or method, to diagnose, treat, operate or prescribe for any human disease, pain, injury, deformity or physical or mental condition.

(c) A license shall mean a certificate issued to a person licensed to practice certain professions affecting the public health as provided in title eight (8) of the Code of Iowa, 1931, and acts amendatory thereto.

"Sec. 3. There is hereby established a board of examiners in the basic sciences of five (5) members authorized and directed to conduct a written examination of all persons who shall hereafter apply for a license to practice medicine and surgery, osteopathy, osteopathy and surgery, chiropractic or any other system or method of healing that may hereafter be legalized in this state; said examination shall cover the six (6) following basic sciences, viz: 1—Anatomy; 2—Physiology; 3—Chemistry; 4—Pathology; 5—Bacteriology; 6—Hygiene.

"Sec. 4. No person shall hereafter be eligible for examination or be permitted to take an examination for a license to practice medicine and surgery, osteopathy, osteopathy and surgery, chiropractic or any other system or method of healing that may be hereafter legalized in this state or be granted any such license until he has presented to the licensing board empowered to issue a license, a certificate of proficiency in the basic sciences as provided in this act. This requirement shall be in addition to all other requirements now or hereafter in effect with respect to the issuance of such license or licenses.

"Sec. 5. Nothing in this act shall be construed to apply to persons holding licenses as physicians and surgeons, osteopaths, osteopaths and surgeons or chiropractors at the time this act takes effect; nor shall this act, at any time, be construed to apply to dentists, dental hygienists, nurses, pharmacists, optometrists, embalmers, podiatrists, barbers or cosmetologists practicing within the limits of their respective licenses or Christian Scientists. This act shall not apply to students regularly registered, enrolled and in attendance as of February 1, 1935, in accredited schools of medicine, osteopathy or chiropractic in the state of Iowa.

"Sec. 6. The Governor shall appoint a board of examiners in the basic sciences, hereinafter referred to as the "board," consisting of five (5)

members learned respectively in the basic sciences named herein from the faculties of the universities and four (4) year colleges accredited by the Iowa State Board of Educational Examiners, who shall be appointed one (1) for two (2) years, two (2) for four (4) years and two (2) for six (6) years from the dates of their respective appointments. On the expiration of the term of any member the Governor shall fill the vacancy or vacancies by appointment for a term of six (6) years; on the death, resignation or removal of any member the Governor shall fill the vacancy by appointment for the unexpired portion of the term. No member of the board shall be licensed in the state of Iowa to engage in the practice of the healing art. Not more than one (1) member of the board shall be appointed from the faculties of any one (1) of the universities or four (4) year colleges described herein.

"Sec. 7. The board shall meet and organize, as soon as practicable, after appointment. It shall have power to elect officers from its members, to adopt a seal and to make such rules, in addition to the rules hereinafter specified, as it deems expedient to carry this act into effect. The board shall elect a chairman and secretary.

"Sec. 8. The secretary of the board shall keep a correct record of the proceedings of said board and upon the granting of a certificate of proficiency in the basic sciences shall, at the time of granting said certificate, certify to the state department of health the application upon which such certificate was issued, together with the questions submitted in the examination of such applicant and the answers thereto and such secretary shall deposit with the department of health all records not needed for the current use of his examining board.

"Sec. 9. The state department of health shall furnish the board with all articles and supplies required for the public use and necessary to enable said board to perform the duties imposed upon it by law. Such articles and supplies shall be obtained by the departments in the same manner in which the regular supplies are obtained and the same shall be considered and accounted for as if obtained for the use of the department.

"Sec. 10. The executive council shall furnish the board with a suitable office and quarters in which to conduct the examinations held by said board at the seat of government.

"Sec. 11. Each member of the board shall, in addition to necessary traveling and hotel expenses, receive ten (10) dollars per day for each day actually engaged in the discharge of his duties, including compensation for the time spent in traveling to and from the place of conducting the examination, and for a reasonable number of days for the preparation of examination questions and the reading of papers, in addition to the time actually spent in conducting examinations. The compensation and expenses of the members and other expense of the board shall be paid out of the fees received from applicants.

"Sec. 12. The fee for examination or any re-examination by the board shall be ten (10) dollars, the fee for the issuing of a certificate by authority of reciprocity, as provided herein, shall be ten (10) dollars. All fees shall be paid to the secretary of the board by the applicant at the time of filing application. The secretary shall pay all money received

as fees into the state treasury to be placed in a special fund to the credit of the board. The state treasurer shall pay out of such fund the compensation and expense of the members and other expenses incurred by the board on vouchers signed by the president and secretary of the board.

"Sec. 13. No person shall be eligible for examination for a certificate of proficiency in the basic sciences until he shall have furnished satisfactory evidence to the board that he has attained the age of twenty-one (21) years, is of good moral character and is a graduate of an accredited high school or possesses the educational qualifications equivalent to those required for graduation by an accredited high school, to be determined by the board.

"Sec. 14. Any person desiring to take the examination for a certificate of proficiency in the basic sciences shall make application to the board, at least fifteen (15) days before the examination, on a form provided by the board. Such application shall be accompanied by the examination fee and such documents and affidavits as are necessary to show the eligibility of the candidate to take such examination. All applications shall be in accordance with the rules of the board and shall be signed and verified by the oath of the applicant.

"Sec. 15. The board shall give public notice of the time and place of all examinations to be held under this act and such notice shall be given in such manner as the board may deem expedient and in ample time to allow all candidates to comply with the provisions of this title.

"Sec. 16. The board shall hold regular sessions for the purpose of giving examinations not to exceed four (4) in any one (1) year. No applicant shall be required to disclose the professional school he may have attended or what system of treating the sick he intends to pursue. The examination shall be conducted in writing in such manner that the applicant shall be known by number only until such examination papers are read and the proper grade determined. The examination shall be of such a nature as to constitute an adequate test as to whether the person so examined has such knowledge of the elementary principles of the basic sciences as might be acquired after the completion of a course of study of the following subjects for the number of hours specified:

Subject	Hours	Subject	Hours
Anatomy	400	Pathology	160
Physiology	200	Bacteriology	100
Chemistry	200	Hygiene	40

The board shall establish rules for conducting of all examinations, grading of examinations and passing upon the technical qualifications of applicants as shown by such examinations. An applicant to pass the examination must obtain a grade of not less than seventy (70) per cent in any one (1) subject and a total average grade of seventy-five (75) per cent in all subjects.

"Sec. 17. Three (3) members of the board shall constitute a quorum for conducting examinations.

"Sec. 18. The board shall issue a certificate of proficiency in the basic sciences to each of the successful applicants after examination, as provided in this act.

"Sec. 19. Each certificate of proficiency in the basic sciences shall be in the form prescribed by the board, under the name and seal of the board and signed by its chairman and secretary.

"Sec. 20. The board may, in its discretion, waive the examination and issue a certificate of proficiency in the basic sciences provided for herein and may accept in lieu of examination proof that the applicant has passed before a board of examiners in the basic sciences or by whatsoever name it may be known or before any examining or licensing board in the healing art of any state, territory or other jurisdiction under the United States, or of any foreign country, an examination in anatomy, physiology, chemistry, pathology, bacteriology and hygiene as comprehensive and as exhaustive as that required under authority of this act.

"Sec. 21. Any person who shall practice the healing art without first having obtained a certificate of proficiency in the basic sciences or violate or participate in the violation of any provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than five hundred (500) dollars, or by imprisonment in the county jail for not more than one (1) year or by both such fine and imprisonment. It shall be the duty of the attorney general and of the several county attorneys to prosecute violations of this act.

"Sec. 22. No provision of this act shall be construed as repealing any statutory provision in force at the time of its passage with reference to the requirements governing the issuing of licenses to practice the healing art, or any branch thereof, but any board authorized to issue licenses to practice the healing art, or any branch thereof, may, in its discretion, accept certificates issued by the board of examiners in the basic sciences in lieu of examining applicants in such sciences, or may continue to examine applicants in such sciences as heretofore.

"Sec. 23. Should any section, clause, sentence or provision of this act be held to be invalid for any reason, such holding or decree shall not be construed as affecting the validity of any of the remaining portions of this act, it being the intent of the legislature that this act shall stand and the legislature would have adopted the remainder of this act notwithstanding the invalidity of any such section, clause, sentence or provision."

M. MOORE, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 132 by striking the period after the word "be" in line 9, section two (2).

WM. S. BEARDSLEY.

Amend the committee amendment to House File 28 as follows:

Insert before the word "amend" in the first line thereof the following: "Strike all of section one (1) thereof and substitute in lieu thereof the following: Section 1."

JOHN K. VALENTINE.

On motion of Senator Shangle, the Senate adjourned until 10:00 a. m. Monday, March 11, 1935.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 11, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. LeRoy Aspling, of the Evangelical Free church of Des Moines.

Senator Hush introduced Senator Carl Allen, a member of the Nebraska legislature, who spoke briefly bringing greetings from his state of Nebraska.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Nelson for the day, on request of Senator Husted; Senator Harrington for the day, on request of Senator Valentine.

Senator Calhoun was granted unanimous consent to have his name stricken as an author of Senate Joint Resolution 10 and added as an author of Senate Joint Resolution 9.

The Journal of March 8, 1935, was approved.

PETITIONS AND MEMORIALS

The following petitions favoring the tax on the so-called "chain stores" doing business in the state were received and filed, to be referred to the committee on cities and towns:

Senator Driscoll, from residents of Lee county; Senator McArthur, from residents of Cerro Gordo county; Senator Parker, from residents of Delaware county; Senator Harrington, from residents of Woodbury county; Senator Calhoun, from residents of Van Buren county; Senator Pendray, from residents of Jackson county; Senator Berg, from residents of Black Hawk county; Senator Elthon, from residents of Winnebago and Worth counties; Senator Patterson, from residents of Kossuth county; Senator Hopkins, from residents of Guthrie county; Senator Millhone, from residents of Page and Fremont counties; Senator Doze, from

residents of Wayne county; Senator Geske, from residents of Clayton county; Senator Kimberly, from residents of Scott county.

The following petition opposing the tax on the so-called "chain stores" doing business in the state was received and filed, to be referred to the committee on cities and towns:

Senator Kimberly, from residents of Scott county.

The following petitions favoring the basic science bill were received and filed, to be referred to the committee on public health:

Senator Byers, from residents of Linn county; Senator Elthon, from residents of Winnebago county.

The following petitions opposing the basic science bill were received and filed, to be referred to the committee on public health:

Senator Calhoun, from residents of Jefferson county; Senator Grunewald, from residents of Tama county; Senator Miller, from residents of Jones county.

The following petitions were received and filed, to be referred to the designated committees:

Senator Driscoll, from residents of Lee county, in regard to local option on liquor stores or places where beer is sold. Committee on judiciary No. 2.

Senator Patterson, from residents of Kossuth county, favoring the bill setting minimum prices on petroleum commodities. Committee on manufacturing, commerce and trade.

Senator Kimberly, from residents of Scott county, opposing the bill providing for ten (10) per cent tax on gross amount of business done by theatres in Iowa. Committee on ways and means.

Senate railroad committee, from the Brotherhood of Railroad Trainmen of Clinton, Iowa, favoring Senate Files 5, 36, 37, 43, and House File 55. Committee on railroads and aeronautics.

INTRODUCTION OF BILLS

Senate File 172, by Senator Harrington (Burlington), a bill for an act to raise revenue; to impose a tax on conducting a business by a system of chain stores for selling or otherwise disposing of

tangible goods, wares or merchandise at retail, with certain exceptions; providing for the assessment and collection of said tax, and for the distributing of the proceeds therefrom; providing penalties for the violation thereof; and providing for an appropriation for the enforcement thereof.

The bill was read first and second times and referred to the committee on ways and means.

Senate File 173, by Senator Pendray (by request), a bill for an act to amend paragraph nineteen (19) of section sixty-two hundred eleven (6211), Code, 1931, as amended by chapter one hundred twenty-one (121), acts Forty-fifth General Assembly, relating to the rate of taxation for library funds in cities and towns.

The bill was read first and second times and referred to the committee on public libraries.

Senate File 174, by Senator Donohue, a bill for an act to amend section eleven thousand seven hundred eighty-four (11784), Code, 1931, relating to redemption from execution sale by the title holder and to provide for the making of such redemption by the surrender of the sheriff's certificate.

The bill was read first and second times and referred to the committee on judiciary No. 2.

Senate File 175, by Senator Wilson, a bill for an act providing for the appointment of a city assessor and his deputies, in cities of the first-class, their compensation and the expense of maintaining the city assessor's office in all first-class cities and amending sections six thousand five hundred twenty-eight (6528), six thousand six hundred fifty-one (6651), five thousand six hundred sixty-nine (5669), five thousand six hundred fifty-six (5656) and five thousand six hundred thirty-two (5632).

The bill was read first and second times and referred to the committee on cities and towns.

Senate File 176, by Senator Billingsley, a bill for an act relating to the duration of judgments rendered solely on promissory obligations secured by mortgage or deed of trust of real estate, without foreclosure against said security.

The bill was read first and second times and referred to the committee on judiciary No. 1.

Senate File 177, by Senator Schmidt, a bill for an act to amend section thirty-one hundred fifty-one (3151), Code, 1931, to include marihuana in the definition of narcotic drugs.

The bill was read first and second times and referred to the committee on pharmacy.

Senate File 178, by Senator Byers, a bill for an act to amend section ten thousand seven hundred four (10704), Code, 1931, relating to jurisdiction of superior courts.

The bill was read first and second times and referred to the committee on judiciary No. 1.

Senate File 179, by Senator Shaw, a bill for an act to amend chapter eighty-three (83), acts of the Forty-fifth General Assembly, by providing civil liability as against operator and owner of motor trucks and combinations thereof and eliminating the provisions of section five thousand twenty-nine (5029), Code, 1931, as a defense thereto.

The bill was read first and second times and referred to the committee on motor vehicles.

Senate File 180, by Senator Shaw, a bill for an act to amend chapter one hundred thirty-five (135), acts of the Forty-fifth General Assembly, Extraordinary Session, relating to the redemption by debtor of real property from execution sale, by providing that junior liens shall not again attach thereto.

The bill was read first and second times and referred to the committee on judiciary No. 1.

Senate File 181, by Senators Shaw and Billingsley, a bill for an act to limit the time within which actions may be brought on notes or contracts due prior to January 2, 1931, the consideration or security for which was real estate which has been exhausted either by such obligations or by prior incumbrances.

The bill was read first and second times and referred to the committee on judiciary No. 2.

Senate File 182, by Senator Meyer (by request), a bill for an act to amend section twenty-five hundred seventy-seven (2577), Code, 1931, relating to approved schools of optometry; and prohibiting false and untruthful advertisements.

The bill was read first and second times and referred to the committee on public health.

Senate File 183, by Senator Schmidt, a bill for an act to define, license, supervise and regulate automobile finance companies; to prescribe the maximum interest rate which such companies may charge and collect; to enlarge the powers of the superintendent of banking; and to provide penalties therefor.

The bill was read first and second times and referred to the committee on banks and banking.

Senate File 184, by Senator Geske, a bill for an act to make permanent a temporary transfer made January 9, 1934, by authority of the State Comptroller of Iowa, of eleven thousand (11,000) dollars from the court expense fund of Clayton county, Iowa, to the poor fund of said county.

The bill was read first and second times and referred to the committee on judiciary No. 2.

Senate File 185, by Senator Geske, a bill for an act to make permanent a temporary transfer made December 31, 1932, by authority of the State Comptroller of Iowa, of nine thousand three hundred (9,300) dollars from the court expense fund of Clayton county, Iowa, to the poor fund of said county.

The bill was read first and second times and referred to the committee on judiciary No. 2.

Senate File 186, by Senator Hush, a bill for an act to amend section nine thousand eighty hundred eighty-five (9885), Code, 1931, relating to unfair discrimination.

The bill was read first and second times and referred to the committee on state planning.

Senate File 187, by Senators Chrystal and Roelofs, a bill for an act to empower the county board of supervisors to establish, maintain, improve, and beautify public parks within the county.

The bill was read first and second times and referred to the committee on county and township affairs.

Senate File 188, by Senators Chrystal and Roelofs, a bill for an act to amend sections seventy-seven hundred seventy-five (7775),

seventy-seven hundred seventy-six (7776), and seventy-seven hundred seventy-seven (7777), Code, 1931, relating to the collection of permit, license and inspection fees, for the construction, maintenance or operation of dams, and the allocation of funds derived therefrom, and the study of the proper methods of construction of such dams.

The bill was read first and second times and referred to the committee on state planning.

Senate File 189, by Senator Roelofs, a bill for an act to amend sections eighty-four hundred sixty-nine (8469) and eighty-four hundred ninety-five (8495), Code, 1931, relating to membership in profit and nonprofit-sharing cooperative associations.

The bill was read first and second times and referred to the committee on agriculture.

COPIES SENATE FILE 156 ORDERED

By unanimous consent granted Senator Calhoun, it was ordered that 1,200 copies of Senate File 156 be printed.

BILLS PLACED ON THE CALENDAR

By unanimous consent granted Senator Irwin, it was ordered that Rule 35 be invoked and Senate File 78 be placed on the calendar.

By unanimous consent granted Senator Hopkins, it was ordered that Rule 35 be invoked and Senate File 1 be placed on the calendar.

By unanimous consent granted Senator Doze, it was ordered that Rule 35 be invoked and Senate File 31 be placed on the calendar.

ACTION ON SENATE FILES 76 AND 108 DEFERRED

By unanimous consent granted Senator Wilson, action on Senate File 76 was deferred, and the bill was ordered to retain its place on the calendar.

By unanimous consent granted Senator Roelofs, action on Senate File 108 was deferred, and the bill was ordered to retain its place on the calendar.

SENATE FILE 156 PLACED ON THE CALENDAR

Senator Bell of Crawford moved that Senate File 156 be withdrawn from the committee on agriculture and placed in its original position on the calendar.

As a substitute motion, Senator Roelofs moved that Senate File 156 be withdrawn from the committee on agriculture, placed on the calendar, and that a public hearing on the bill be held before the Senate as a committee of the whole on Tuesday at 2:30 p. m.

The chair called for a division of the vote on the motion to substitute, and announced that the motion prevailed.

The substitution was made and the substitute motion prevailed.

ACTION ON SENATE FILE 47 DEFERRED

By unanimous consent granted Senator Valentine, action on Senate File 47 was deferred, and the bill was ordered to retain its place on the calendar.

ACTION ON HOUSE FILE 17 DEFERRED

By unanimous consent granted Senator Wilson, action on House File 17 was deferred, and the bill was ordered to retain its place on the calendar.

COMMUNICATION RECEIVED

The following communication was received and placed on file:

THE GRAND THEATRE
Eldora, Iowa

March 4, 1935.

Mr. Hedo M. Zacherle,
Secretary of the Iowa Senate, State Capitol,
Des Moines, Iowa.

MY DEAR SIR: Will you kindly transmit to each and every member of the Iowa Senate our most cordial invitation to them to attend a luncheon at the Savery Hotel on Wednesday, March 13th, at 12:15 p. m.?

This luncheon is being given by the theatre owners of Iowa in honor of Clarence Steffen, thirteen year old boy hero of Oelwein, Iowa, who will be present. This large gathering of theatre men hope that every member of the Senate will honor this lad by their presence at the luncheon.

Will you kindly acknowledge receipt of this invitation?

Very best regards,

Respectfully yours,

ALLIED THEATRE OWNERS, INC.

L. F. WOLCOTT (signed)

By LEO F. WOLCOTT, *President.*

Placed on file.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 138, a bill for an act to coordinate certain sections of the Code with the budget and financial control act.

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

House File 32, a bill for an act relating to statutory salaries and compensation of state, county, city and township officers, deputies and employees.

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

Senate File 79, a bill for an act relating to the payment of claims against school districts.

VIRGIL LEKIN, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 79

Amend section one (1) as follows:

1. Strike from line 6 the words "issuance of" and insert in lieu thereof the words "secretary to issue."

2. Strike from line 10 the period and insert in lieu thereof the following: "and said secretary shall either deliver in person or mail said warrants to the payee."

President pro tempore Harold L. Irwin took the chair at 11:25 a. m.

THIRD READING OF BILLS

House File 28, a bill for an act to amend section ten (10) of chapter thirty (30), acts of the Forty-fifth General Assembly, Regular Session, as amended by chapter twenty (20), acts of the Forty-fifth General Assembly, Extraordinary Session, relating to the license fees for hunting and fishing, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Valentine offered the following amendment to the committee amendment and moved its adoption:

Amend the committee amendment to House File 28 as follows:

Insert before the word "amend" in the first line thereof the following: "Strike all of section one (1) thereof and substitute in lieu thereof the following: Section 1."

The motion prevailed and the amendment to the committee amendment was adopted.

The following committee amendment was offered:

Amend section ten (10) of chapter thirty (30), acts of the Forty-fifth General Assembly, Regular Session, by striking all of chapter twenty (20), acts of the Forty-fifth General Assembly, Extraordinary Session, and substituting therefor the following:

"Fishing licenses:

All persons legal residents of the state, except otherwise provided.....\$1.00

"Hunting licenses:

All persons legal residents of the state, except otherwise provided.....\$1.00

"Hunting and fishing combined licenses:

All persons legal residents of the state, except otherwise provided....\$1.50."

Senator Donohue offered the following amendment and moved its adoption:

Amend the committee amendment to House File 28 by striking the word "striking" in line 2 of the committee amendment and substituting in lieu thereof the word "repealing."

The motion prevailed and the amendment to the committee amendment was adopted.

Senator Fisch moved that the committee amendment, as amended, be adopted, which motion prevailed.

Senator Fisch moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 43:

Aschenbrenner	Doze	Malone	Reese
Baldwin	Driscoll	Mason	Roelofs
Beardsley	Elthon	McArthur	Schmidt
Bell of	Fisch	Meyer	Shaw
Des Moines	Geske	Miller	Stanley
Berg	Goetsch	Millhone	Stevens of
Billingsley	Grunewald	Moore	Decatur
Byers	Hopkins	Mullaney	Stevens of
Calhoun	Hush	Parker	Wapello
Corwin	Husted	Patterson	Valentine
Dewey	Irwin	Pendray	Wilson
Donohue	Knudson		

Nays, 1:

Shangle

Absent or not voting, 6:

Anderson	Chrystal	Kimberly	Nelson
Bell of Crawford	Harrington		

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

Senator Driscoll moved that the vote by which House File 28 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent granted Senator Valentine, it was ordered that House File 28 be messaged to the House immediately.

Senator Reese was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 190, by Senator Chrystal, a bill for an act to repeal section nineteen hundred five-b eight (1905-b8) and section nineteen hundred five-b eleven (1905-b11), and to amend sections nineteen hundred five-b nine (1905-b9), nineteen hundred five-b ten (1905-b10) and nineteen hundred five-b fourteen (1905-b14), Code, 1931, relating to the powers and duties of the board of architectural examiners, and to the examination and registration of architects.

The bill was read first and second times and referred to the committee on departmental affairs.

Senate File 191, by Senator Wilson, a bill for an act to amend the law as it appears in section sixty-two eleven (6211), Code, 1931, relating to the limitation upon the levying of taxes for special purpose of cities and towns and providing a limitation on the levy for police equipment purpose.

The bill was read first and second times and referred to the committee on cities and towns.

Senate File 192, by Senator Wilson, a bill for an act to amend the law as it appears in chapter seventy-five (75) of the laws of the Forty-fifth General Assembly, Extraordinary Session, being an act relating to and providing for the creation, maintenance and administration of a police retirement or pension system and/or a fire retirement or pension system in all cities of this state, in-

cluding special charter cities and cities under the city manager form of government, that now or may hereafter have police and/or fire department employees appointed under civil service as required by law; and providing who shall be eligible to benefits and what benefits shall be payable; and further defining the term "widow".

The bill was read first and second times and referred to the committee on cities and towns.

Senate File 193, by Senator Elthon, a bill for an act relating to the establishment of a State Bank of Iowa, owned, controlled and operated by the state of Iowa in the manner and to the extent as provided herein, making appropriations therefor and providing penalties for violation thereof.

The bill was read first and second times and referred to the committee on banks and banking.

Senate File 194, by Senators Reese, Chrystal, Harrington, Roelofs and Knudson, a bill for an act to amend section four thousand eight hundred and seventy-seven (4877), Code, 1931, pertaining to the display and attaching of license plates to motor vehicles.

The bill was read first and second times and referred to the committee on motor vehicles.

Senate File 195, by Senator Husted, a bill for an act to amend section nine thousand eighteen (9018) of the Code, 1931, relating to the standard form of fire insurance policy which may be lawfully issued in this state; to provide that the insurer shall be liable for the full amount for which said property is insured, in case of total loss or a proportionate amount thereof, in case of partial loss; to amend chapter four hundred four (404) of the Code, 1931, by adding thereto section nine thousand eighteen-a one (9018-a1), providing that the insurer shall cause any structure to be previously examined, a full description thereof made, its insurable value fixed by the insurer or his agent, and the amount thereof stated in the policy, and that in the absence of any change increasing the risk without the consent of the insurer, and in the absence of fraud, the whole amount mentioned in the policy, or in the renewal, upon which the insurer receives a premium shall be paid in case of total loss and in case of partial loss the full amount

thereof, and for co-insurance and providing who shall be held to be an agent of the insurer; to amend section eight thousand nine hundred seventy-six (8976), Code, 1931, providing that the amount stated in the policy shall be conclusive evidence of the insurable value; and to repeal section eight thousand nine hundred seventy-seven (8977), Code, 1931, and substitute in lieu thereof, relating to depreciation which reason be shown and amount for which insurer is liable.

The bill was read first and second times and referred to the committee on insurance.

REPORTS OF COMMITTEES

Senator Byers submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File 129, a bill for an act authorizing the issue of a patent to John Kimball, begs leave to report it has had the same under consideration and recommends the same do pass. FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Senator Geske submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File 122, a bill for an act to amend section twelve thousand seven hundred seventy-two (12772), Code, 1931, with reference to the time and manner of the securing the approval of the court as to any investments to be made of trust funds by fiduciaries, begs leave to report it has had the same under consideration and recommends the same do pass. M. X. GESKE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File 146, a bill for an act to amend section seven thousand three hundred thirty (7330), Code, 1931, relating to the compensation and mileage of inheritance tax appraisers, begs leave to report it has had the same under consideration and recommends the same do pass.

M. X. GESKE, *Chairman*.

Ordered passed on file.

Senator McArthur submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred Senate File 131, a bill for an act to repeal chapter one hundred thirty-eight (138), title LX of the Code of 1931, relating to farm aid associations, begs leave to report it has had the same under consideration and recommends the same do pass. WM. MCARTHUR, *Chairman*.

Ordered passed on file.

AMENDMENTS FILED

Amend the amendment to Senate File 108 as follows: By striking the last paragraph of the amendment to the preamble thereof.

E. P. DONOHUE.

Amend the amendment to Senate File 108 as follows: By striking the following words from section two (2) of said amendment, "nor shall the state or any political subdivision have any right of recovery of any salaries paid."

E. P. DONOHUE.

Amend House File 1 as follows:

Strike all after section one (1) and insert in lieu thereof the following:

"Sec. 2. That section ten thousand nine hundred forty-two (10942), Code, 1931, be amended by striking therefrom all of said section after the period after the word "proceedings" in line 4 thereof, and that the following be inserted in lieu thereof: 'An action can not be prosecuted or any judgment hereafter entered on any bond or note alone, nor alone on any extension or assumption agreement thereof, which is or has at any time been secured by a real estate mortgage or deed of trust.'"

"Sec. 3. Section twelve thousand three hundred seventy-five (12375), Code, 1931, is hereby repealed.

"Sec. 4. All acts, or parts of acts, and all provisions of the Code of Iowa, or of any section or part of a section thereof, in conflict with this act are hereby repealed.

"Sec. 5. This act being deemed of immediate importance, shall become effective from and after its publication in the Newton Daily News, a newspaper published in Newton, Jasper county, Iowa, and in the Nevada Journal, a newspaper published at Nevada, Iowa."

JOHN W. BILLINGSLEY.

On motion of Senator Shangle, the Senate adjourned until 10:00 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 12, 1935.

The Senate met in regular session, President pro tempore Harold L. Irwin presiding.

Prayer was offered by Rev. Vern W. Butler, of the Community church at Sully.

The Journal of March 11, 1935, was approved.

PETITIONS AND MEMORIALS

The following petitions favoring the tax on the so-called "chain stores" doing business in the state were received and filed, to be referred to the committee on cities and towns:

Senator Grunewald, from residents of Benton and Tama counties; Senator Byers, from residents of Linn county; Senator Valentine, from residents of Appanoose and Davis counties; Senator Calhoun, from residents of Van Buren county; Senator Billingsley, from residents of Jasper county; Senator Doze, from residents of Lucas county; Senator Goetsch, from residents of Winneshiek county; Senator Patterson, from residents of Palo Alto and Emmet counties; Senator Knudson, from residents of Wright and Hamilton counties; Senator Dewey, from residents of Henry and Washington counties; Senator Corwin, from residents of Muscatine county; Senator Geske, from residents of Clayton county; Senator Baldwin, from residents of Dubuque county; Senator Stevens of Decatur, from residents of Ringgold county; Senator Kimberly, from residents of Scott county; Senator Miller, from residents of Cedar county; Senator Elthon, from residents of Mitchell county; Senator Mason, from residents of Poweshiek and Keokuk counties; Senator Donohue, from residents of Chickasaw county; Senator Irwin, from residents of Clinton county; Senator Parker, from residents of Delaware county; Senator Bell of Des Moines, from residents of Des Moines county.

The following petitions opposing the tax on the so-called "chain

stores" doing business in the state were received and filed, to be referred to the committee on cities and towns:

Senator Aschenbrenner, from residents of Monroe county; Senator Dewey, from residents of Washington county; Senator Irwin, from residents of Clinton county; Senator Anderson, from residents of Webster county; Senator Bell of Des Moines, from residents of Des Moines county.

The following petitions favoring the basic science bill were received and filed, to be referred to the committee on public health:

Senator Roelofs, from residents of Osceola county; Senator Byers, from residents of Linn county; Senator Aschenbrenner, from residents of Monroe and Marion counties; Senator Shaw, from residents of Humboldt county.

The following petitions opposing the basic science bill were received and filed, to be referred to the committee on public health:

Senator Bell of Des Moines, from residents of Des Moines county; Senator Roelofs, from residents of Osceola county; Senator Goetsch, from residents of Winneshiek county; Senator Aschenbrenner, from residents of Monroe county; Senator Knudson, from residents of Hardin county; Senator Irwin, from residents of Clinton county; Senator Nelson, from residents of Story county.

The following petitions favoring local option on liquor stores or places where beer is sold were received and filed, to be referred to the committee on judiciary No. 2:

Senator Aschenbrenner, from residents of Monroe county; Senator Knudson, from residents of Hamilton county.

The following petitions opposing the tax on amount of business done by theaters in the state, were received and filed, to be referred to the committee on ways and means:

Senator Kimberly, from residents of Scott county; Senator Corwin, from residents of Muscatine.

The following petitions favoring Senate File 36 were received

and filed to be referred to the committee on railroads and aeronautics:

Senator Knudson, from residents of Hardin county; Senator Irwin, from residents of Clinton county.

The following petitions favoring Senate Files 49 and 50 were received and filed, to be referred to the committee on public health:

Senator Corwin, from Benjamin Hershey Memorial Hospital, Muscatine; Senator Baldwin, from alumnae of St. Joseph's Mercy Hospital, Dubuque, Iowa.

The following petitions were received and filed, to be referred to the designated committees:

Senator Shaw, from residents of Pocahontas county, favoring Senate File 53 and House File 88. Committee on ways and means.

Senator Moore, from residents of Pottawattamie county, opposing bill to do away with county appropriations to pay county farm bureau agents. Committee on county and township affairs.

Senator Parker, from residents of Buchanan county, opposing Senate File 133. Committee on manufacturing, commerce and trade.

Senator Knudson, from the business and professional men of Eldora, favoring the bill to extend civil service laws to include chief of police. Committee on cities and towns.

Senator Corwin, from residents of Muscatine, favoring Senate File 144. Committee on cities and towns.

Senator Irwin, from residents of Hawthorne School, Clinton, favoring the allocation of part of three point tax income to schools. Committee on ways and means.

Senator Baldwin, from residents of Dubuque county, favoring Senate File 127. Committee on appropriations.

Senator Roelofs, from residents of Osceola county, opposing House File 101. Committee on insurance.

Senator Knudson, from residents of Wright county, opposing House Joint Resolution 4. Committee on ways and means.

Senator Corwin, from residents of Muscatine county, favoring bill allocating taxes on motor transportation to highway construction for maintenance and safety. Committee on motor vehicles.

INTRODUCTION OF BILLS

Senate File 196, by committee on motor vehicles, a bill for an act to create an agency of the state to be known as the motor vehicle department, to provide for a superintendent for said department, to provide for a transfer of the present motor vehicle department to said newly created department, to create a state highway patrol within said newly created department, to amend sections ten hundred sixty-three (1063), forty-nine hundred sixty-d twenty-five (4960-d25), and forty-nine hundred sixty-d twenty-six (4960-d26), all of the Code, 1931, and to amend chapter eighty-one (81), acts of the Forty-fifth General Assembly, relating to motor vehicles and to the bonds of public officers.

The bill was read first and second times and referred to the committee on motor vehicles.

Senate File 197, by committee on agriculture, a bill for an act to repeal sections ninety-seven hundred fifty-three (9753), ninety-seven hundred fifty-four (9754), ninety-seven hundred fifty-seven (9757), ninety-seven hundred sixty (9760), ninety-seven hundred sixty-three (9763), ninety-seven hundred sixty-four (9764), ninety-seven hundred sixty-seven (9767), ninety-seven hundred sixty-nine (9769), ninety-seven hundred seventy-one (9771), ninety-seven hundred seventy-four (9774) to ninety-seven hundred eighty-three (9783), inclusive, ninety-seven hundred eighty-five (9785) to ninety-seven hundred eighty-nine (9789), inclusive, and ninety-seven hundred ninety-eight (9798), Code, 1931, as amended and section four (4), chapter one hundred twenty-six (126) and section four (4), chapter one hundred twenty-seven (127), and chapter one hundred twenty-eight (128), acts of the Forty-fifth General Assembly, Extra Session, relating to unbonded agricultural warehouses and to enact a substitute therefor to limit the appointment of warehouse boards one to a county; to require members of warehouse boards to be residents of the county in which they are to serve; to provide for the election of a secretary-treasurer, president and vice president for each warehouse board; to require each secretary-treasurer and sealer to furnish bonds for at least one thousand (1,000) dollars

to provide for the issuance of certificate of re-inspection and collection of fees therefor; to provide for subsequent inspection of grain under storage; to require the secretary of agriculture to include in the certificate form a statement that no other certificate is outstanding on the grain represented thereby; to prohibit the issuance of more than one certificate on a granary, crib, or bin; to provide for continuing the negotiability of certificates issued to tenant owners after their leases expire; to require owners to file or cause to be filed with the county recorder a duplicate of any and/or all certificates before or at the time such certificates are negotiated; to require county recorders to stamp original certificates and retain duplicates thereof; to provide for release of certificate thru the secretary of local warehouse board or the secretary of agriculture and to provide for pro-rating surplus funds in the treasury of the local warehouse board.

The bill was read first and second times and placed on the calendar.

Senate File 198, by committee on judiciary No. 2, a bill for an act to suppress the evil of unlicensed and unregulated sales of wines and spirits by licensing and regulating the sale thereof by reputable persons under local option and high license, and punishing offenses against the act; and to amend chapter twenty-four (24) of the acts of the Forty-fifth Extraordinary Session of the General Assembly relating to sale and control of liquor and for the promotion of temperance, and to provide for the issuance by the State Liquor Commission of licenses to sell wines and spirits by the drink to be consumed on the premises where sold, in cities and towns where vote was against repeal of the Eighteenth Amendment to the Constitution, only after vote of majority of said electors; for such licenses without such vote where vote was for repeal of said amendment; for repealing or prohibiting such licenses or authorization by majority vote of electors in any city or town, and providing the times and manner of initiating and conducting and the effect of such elections and for calling them by petition; for obtaining duration and revocation of the licenses; for the sale of wines and spirits by the State Liquor Commission to licensed licensees; for prohibiting licensees from buying wines and spirits except from the commission; for licenses to hotels, clubs, restaurants and other persons, and de-

fining hotels, clubs, restaurants and other persons, and the four classes of licenses, and the fees therefor, and the collection thereof; for the hours of opening and closing and making sales; to provide the location of the places where such sales may be made; for regulating the manner of sale and conduct of the place; for licensees selling beer or malt liquor under conditions prescribed; for licensees giving bond and the amount and condition thereof; defining offenses against the act and fixing penalties therefor.

The bill was read first and second times and placed on the calendar.

Senate File 199, by Senator Beardsley, a bill for an act extending the time in which to pay, without penalty, the first installment of all taxes payable in 1935, and to provide for interest on said installment in case payment is not made within the time specified.

The bill was read first and second times and referred to the committee on county and township affairs.

Senate File 200, by Senator Mullaney, a bill for an act to amend section thirty-one hundred one (3101), Code, 1931, and to repeal sections thirty-one hundred seven (3107) and thirty-one hundred nine (3109), Code, 1931, relating to the purchase and sale of eggs and enact a substitute therefor.

The bill was read first and second times and referred to the committee on livestock and dairy.

Senate File 201, by Senator Donohue, a bill for an act to legalize the compensation paid to county attorneys in counties having a population less than sixty thousand (60,000) under the provisions of chapter eighty-nine (89), acts of the Forty-fifth General Assembly.

The bill was read first and second times and referred to the committee on compensation of public officers.

Senate File 202, by committee on judiciary No. 2, a bill for an act to amend sections twenty (20) to twenty-eight (28), both inclusive, of chapter twenty-four (24) of the acts of the Forty-fifth General Assembly, relating to the issuance and revocation of individual permits and to provide for remedying and abuse thereof without suspension or revocation of the same; and to pro-

vide for limiting amount of purchases and for reporting of illegal sale of spirits and wines.

The bill was read first and second times and placed on the calendar.

Senate File 203, by committee on judiciary No. 2, a bill for an act to legalize the corporate acts and proceedings of The Times Company of Davenport, Iowa, and to provide for the renewal and extension of the period of corporate existence and the adoption of renewal, amended and substituted Articles of Incorporation of said The Times Company.

The bill was read first and second times and placed on the calendar.

Senate File 204, by Senator Chrystal, a bill for an act to amend section eleven hundred seventy-one d-four (1171-d4), Code, 1931, relating to the authorization of public bonds and the vote required thereon.

The bill was read first and second times and referred to the committee on banks and banking.

Senate File 205, by Senator Beardsley, a bill for an act to amend sections forty-two hundred thirty-seven (4237), forty-two hundred ninety-eight (4298) and forty-three hundred two (4302), Code, 1931, relating to the discharge of school teachers, the subpoenaing of witnesses and appeals from decisions of boards of directors.

The bill was read first and second times and referred to the committee on public schools.

Senate File 206, by Senators Moore and Baldwin, a bill for an act to amend chapter eighty-two (82) of the laws of the Forty-fifth General Assembly of the state of Iowa in extraordinary session, relating to taxation of net incomes, retail sales and business tax on corporations.

The bill was read first and second times and referred to the committee on ways and means.

Senate File 207, by Senator Knudson (Ellsworth), a bill for an act to amend section six thousand two hundred eleven (6211), Code, 1931, relating to the power of any city or town to levy annual taxes for particular purposes.

The bill was read first and second times and referred to the committee on cities and towns.

Senate File 208, by committee on agriculture, a bill for an act to repeal sections twenty-nine hundred forty-seven (2947), twenty-nine hundred fifty-two (2952), Code, 1931, relating to employees of the State Dairy Association and Beef Cattle Producers Association.

The bill was read first and second times and placed on the calendar.

Senate File 209, by Senator McArthur, a bill for an act to repeal sections twenty-eight hundred seventy-three (2873), twenty-eight hundred seventy-four (2874), twenty-eight hundred seventy-five (2875), twenty-eight hundred seventy-six (2876), twenty-eight hundred seventy-seven (2877), twenty-eight hundred seventy-eight (2878), and twenty-eight hundred seventy-nine (2879), and twenty-eight hundred eighty-five (2885), all of Code, 1931, relating to the state fair board, and enacting substitutes therefor, providing for their appointment and providing for the organization thereof. To amend section twenty-eight hundred eighty (2880), relating to the compensation of the said members of the state fair board; to amend section twenty-eight hundred eighty-one (2881), relating to the secretary of the state fair board. To amend section twenty-eight hundred eighty-three (2883), relating to the treasurer of the state fair board. To amend section twenty-eight hundred ninety (2890), relating to warrants drawn by the state fair board.

The bill was read first and second times and referred to the committee on agriculture.

Senate File 210, by Senator Baldwin, a bill for an act to extend the term of office of L. J. Sigwarth, member of the board of supervisors of Dubuque County, Iowa, one year so that said term will expire on the second secular day of January, 1939.

The bill was read first and second times and referred to the committee on judiciary No. 2.

Senate File 211, by Senators Driscoll and Irwin, a bill for an act to amend section forty-nine hundred twenty-one-c two (4921-c2), Code, 1931, relating to the maximum load permitted to be carried by motor vehicles licensed in the state.

The bill was read first and second times and referred to the committee on motor vehicles.

Senate File 212, by Senator Shaw (by request), a bill for an act relating to the marginal release and assignments of real estate mortgages.

The bill was read first and second times and referred to the committee on judiciary No. 2.

Senate File 213, by Senator Malone, a bill for an act to legalize renewal of the corporate status of the Cumberland Telephone Company of Cumberland, Iowa.

The bill was read first and second times and referred to the committee on judiciary No. 1.

Senate File 214, by Senator Donohue, a bill for an act to amend chapter nineteen (19) of the acts of the Forty-fifth General Assembly in Extraordinary Session relating to the citizen qualifications of applicants for old age assistance.

The bill was read first and second times and referred to the committee on judiciary No. 1.

Senate File 215, by Senator Donohue, a bill for an act to amend chapter two hundred fifty-one (251) and section four thousand eight hundred sixty-five (4865) of the Code of Iowa, 1931, relating to the licensing of motor vehicles.

The bill was read first and second times and referred to the committee on motor vehicles.

Senate File 216, by Senator Berg, a bill for an act to amend section five thousand six hundred sixty-four (5664) of the Code of Iowa of 1931, providing for compensation of councilmen.

The bill was read first and second times and referred to the committee on cities and towns.

Senate File 217, by Senators Mason, Fisch, Miller, Driscoll, Stevens of Wapello, Stevens of Decatur, Shangle, Reese, Malone, Goetsch, Chrystal, and Aschenbrenner, a bill for an act to amend chapter one hundred twenty-three (123) of the acts of the Regular Session of the Forty-fifth General Assembly of the state of Iowa, and providing for the fixing of the tax limits of taxing districts for the years 1935 and 1936 and providing for the ex-

ceptions thereto and providing for the powers and duties of the budget director and prescribing the procedure therefor.

The bill was read first and second times and referred to the committee on ways and means.

Senate File 218, by Senator Mason, a bill for an act to amend section eleven hundred fourteen (1114), Code, 1931, and to provide for the payment of the costs and expenses for the removal of an appointive state officer, including attorney's fees.

The bill was read first and second times and referred to the committee on departmental affairs.

Senate File 219, by Senator Mason, a bill for an act to impose an excise tax upon all pipe line companies, to be based upon the gross receipts of said pipe line companies on intra-state business which shall be paid into the general fund of the state of Iowa and providing for the making of reports to the state board of assessment and review, and to provide for the payment, collection, distribution of said excise tax, and to provide for penalty for violation of this act.

The bill was read first and second times and referred to the committee on ways and means.

Senate File 220, by Senator Mason, a bill for an act to amend, revise and codify chapter one hundred nineteen (119), Code, 1931, relating to the practice of chiropractic; to define chiropractic; to define persons not engaged in the practice of chiropractic; to prescribe the requirements for license; to prescribe the requirements for an approved college of chiropractic, together with the subjects taught therein and the hours devoted thereto; to prescribe the limitations of the practice of chiropractic; to provide for renewal of license to practice chiropractic; to provide for signs and display of the word "Chiropractor"; and to limit the effect of laws in conflict herewith.

The bill was read first and second times and referred to the committee on public health.

Senate File 221, by Senator McArthur, a bill for an act providing a limit on tax levies for certain purposes of agricultural land located in a district which includes a city or town.

The bill was read first and second times and referred to the committee on cities and towns.

Senate File 222, by Senator Berg, a bill for an act to protect trademark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a distinguished trademark, brand or name.

The bill was read first and second times and referred to the committee on manufacturing, commerce and trade.

Senate File 223, by Senator McArthur, a bill for an act to amend sections twenty-seven hundred twenty-three (2723), twenty-seven hundred twenty-four (2724), twenty-seven hundred twenty-five (2725), twenty-seven hundred twenty-six (2726), and twenty-seven hundred thirty-seven (2737), Code of Iowa, 1931, limiting the time of and clarifying the amount of fees charged for schools of instruction in the use of anti-hog-cholera serum and virus; clarifying provisions as to the time for issuance of permits and information; and declaring an emergency.

The bill was read first and second times and referred to the committee on livestock and dairy.

Senate File 224, by Senators Reese and Harrington, a bill for an act to raise and provide revenue for credit to the fund of the state of Iowa known as old age pension fund; to form and create a state commission for horse racing; to provide for the appointment, qualifications, terms of office and compensation of the members of such commission and its employees; to define and prescribe the powers and duties of the commission for horse racing; to provide for the issuing of licenses by the commission for the holding and conducting of races and race meetings, to fix the qualifications of licensees and fees to be charged for such licensees; to prescribe and define license fees and revenues to be paid the state; to permit the licensees to retain a commission on all sums wagered; to legalize wagering upon the result of all horse races and horse race meetings held under and pursuant to such licenses under the parimutual or certificate method and form of wagering and not otherwise; to provide and define the qualification of all employees participating in horse races or horse race meetings held and conducted under such licenses and authorizing permits for such persons and fixing the fees thereof; to provide for inspection of records of licensees and payment of such inspection; to repeal

and render inapplicable all laws in conflict with the provisions of this act and prescribing penalties for violation thereof, and creating an emergency.

The bill was read first and second times and referred to the committee on judiciary No. 2.

Senate File 225, by Senator Wilson, a bill for an act to repeal section forty-three hundred and forty-six (4346) of the Code, 1931, relating to the creation of the pension fund in independent school districts adopting the pension and annuity retirement system for public school teachers, and enacting a substitute therefor.

The bill was read first and second times and referred to the committee on public schools.

Senate File 226, by Senator Schmidt, a bill for an act to create the state athletic commission; to prescribe its duties and powers; to regulate athletic contests; to provide for the licensing of places where certain athletic contests are held where an admission is charged; to provide for the licensing of boxers, wrestlers, trainers, and all other attaches of such contests; and to provide penalties for the violation thereof.

The bill was read first and second times and referred to the committee on judiciary No. 2.

Senate File 227, by Senators Shaw and Stanley, a bill for an emergency act to amend the law relating to corporations for pecuniary profit as it now appears in section eighty-three hundred sixty-four (8364), Code, 1931; lengthening, by three (3) years the corporate life of all such corporations whose charter would otherwise expire during the year 1935 or 1936; postponing the time within which the charter of such corporations may be renewed; suspending all laws, or parts of law, in conflict herewith, and providing for the termination of this emergency act.

The bill was read first and second times and referred to the committee on judiciary No. 1.

Senate File 228, by Senator Reese (Cundy), a bill for an act authorizing the creation, at the option of its voters, of a county unit school corporation in each county in the state; providing

for the admission therein of other independent school districts; creating a county board of education therefor, and providing for the election of the members thereof from districts, and defining their duties; authorizing the creation of attendance districts; creating an advisory council, and providing for the election to such council of one director from each attendance district; providing for state aid, to be paid to such of the county unit school corporation as meet the requirements of this act and comply with the minimum standards set by the state department of public instruction, and regulating the distribution thereof from state funds; and making the necessary appropriations therefor; amending section sixty-one (61), chapter eighty-two (82), acts Forty-fifth General Assembly, Extraordinary Session, and repealing all acts, or parts of acts, in conflict therewith.

The bill was read first and second times and referred to the committee on public schools.

Senate File 229, by Senator Hush, a bill for an act to amend section twelve thousand three hundred and eighty-five (12385), Code of 1931, relating to release by the mortgagee after satisfaction of chattel mortgages and the penalty for the failure to release such mortgages.

The bill was read first and second times and referred to the committee on judiciary No. 1.

Senate File 230, by committee on county and township affairs, a bill for an act to amend chapter three hundred eighty-three (383) of the Code of Iowa, 1931, to provide for the establishment and regulation of service rates of electric light and power companies; to provide for continuous service; to provide for testing meters; to prescribe the duties and liabilities of public light and power companies; and to provide for the regulation of all public light and power companies.

The bill was read first and second times and placed on the calendar.

Senate File 231, by committee on county and township affairs, a bill for an act to eliminate the provisions of section seven thousand one hundred seventy-one (7171), paragraph two (2), Code of 1931, as amended by chapter one hundred twenty-one (121), section seventy-seven (77), acts of the Forty-fifth General Assembly.

in Regular Session, pertaining to the levying of a poll tax of fifty (50) cents on each male resident over twenty-one (21) years of age.

The bill was read first and second times and placed on the calendar.

Senate File 232, by committee on county and township affairs, a bill for an act to repeal sections forty-six hundred forty-four-c fifty-eight (4644-c58), forty-six hundred forty-four-c fifty-nine (4644-c59), forty-six hundred forty-four-c sixty (4644-c60), forty-six hundred forty-four-c sixty-one (4644-c61), forty-six hundred forty-four-c sixty-two (4644-c62), forty-six hundred forty-four-c sixty-three (4644-c63), and forty-six hundred forty-four-c sixty-four (4644-c64), Code of Iowa 1931; also to repeal in its entirety chapter seventy-three (73) of the laws of the Forty-fifth General Assembly in regular session, thereby repealing all of the provisions therein pertaining to the levying, recording and collection of a road poll tax.

The bill was read first and second times and placed on the calendar.

Senate File 233, by Senator Shaw, a bill for an act to amend section forty-six hundred fifty-nine (4659), chapter two hundred forty (240), Code, 1931, relating to gravel beds owned by counties for highway purposes, so as to permit the purchase of gravel by private parties to surface farm lanes and driveways connecting farm yards and buildings with surfaced public roads.

The bill was read first and second times and referred to the committee on county and township affairs.

Senate File 234, by Senators Chrystal and Shangle, a bill for an act to repeal chapter thirty-eight (38), Code, 1931, relating to the nomination of judges of the supreme, district and superior courts by conventions of political parties, and to the election of such judges; and to enact a substitute therefor providing for the non-partisan nomination of judges of the supreme and district courts at non-partisan conventions, or by petition, and providing for a non-partisan election of such judges, and providing for the nomination and election of judges of the superior courts in the manner provided by law for the nomination and election of other elective officers in the cities where such courts are located.

The bill was read first and second times and referred to the committee on judiciary No. 2.

Senate File 235, by Senator Harrington, a bill for an act relating to the preparation and publication of tax levy estimates in cities; amending section three hundred seventy (370), Code, 1931; and repealing section three hundred seventy-five (375), Code, 1931, and substituting another section therefor.

The bill was read first and second times and referred to the committee on cities and towns.

Senate File 236, by Senator Chrystal, a bill for an act to establish improvement districts for the improvement, management, supervision and development and conservation areas that are situated partly in Iowa and partly in one or more adjacent states and providing a procedure therefor.

The bill was read first and second times and referred to the committee on conservation.

Senate File 237, by Senator Kimberly, a bill for an act making subsection two (2) and ten (10) of section sixty-two hundred eleven (6211), Code, 1931, as amended by chapter one hundred twenty-one (121), acts of the Forty-fifth General Assembly, relating to the levying of taxes by cities and towns, applicable to cities acting under special charter.

The bill was read first and second times and referred to the committee on cities and towns.

Senate File 238, by Senator Bell of Crawford, a bill for an act to repeal the law as it appears in section twelve thousand six hundred forty-four-c fourteen (12,644-c14), Code, 1931, and to enact a substitute therefor relating to the investment of funds of veterans under guardianship.

The bill was read first and second times and referred to the committee on judiciary No. 2.

Senate File 239, by Senator Bell of Crawford, a bill for an act to amend section ten thousand seven hundred sixty-eight (10,768), Code, 1931, relating to the division of the state into judicial districts, and prescribing the number of judges thereof and creating a new additional judicial district and other matters as to the judicial districts and judges thereof, and the numbers of said districts.

The bill was read first and second times and referred to the committee on political and judicial districts.

Senate File 240, by Senator Bell of Crawford, a bill for an act relating to the construction and equipment of school busses used, leased, owned or purchased for the transportation of school children, and providing penalties for the violation thereof.

The bill was read first and second times and referred to the committee on public schools.

Senate File 241, by Senator Anderson, a bill for an act to amend section ten thousand eight hundred thirty-seven (10837), Code, 1931, relating to the fees collected by the clerk of the district court.

The bill was read first and second times and referred to the committee on judiciary No. 1.

Senate File 242, by Senator Anderson, a bill for an act to amend section eleven thousand six hundred twenty-nine (11629), Code, 1931, relating to taxation of costs in court actions.

The bill was read first and second times and referred to the committee on judiciary No. 1.

Senate File 243, by Senator Shaw, a bill for an act to provide for compromise of drainage and general taxes and the refinancing thereof, whether unmatured or matured.

The bill was read first and second times and referred to the committee on drainage.

Senate Joint Resolution 11, by committee on judiciary No. 2, a bill for a joint resolution proposing an amendment to article seven (VII) of the constitution of the state of Iowa by adding thereto section eight (8) relating to the use of motor vehicle license fees, registration fees and other charges on account of the operation of motor vehicles and licenses and excise taxes on motor vehicle fuels.

The joint resolution was read first and second times and placed on the calendar.

HOUSE MESSAGES CONSIDERED

House File 32, a bill for an act to amend sections eighty-eight-one (88-c1), one hundred thirty-one (130-c1), one hundred

forty-seven-c one (147-c1), one hundred fifty-three-c one (153-c1), seventeen hundred three-d twenty-two (1703-d22), twenty-six hundred three-c one (2603-c1), twenty-eight hundred eighty-two (2882), twenty-nine hundred forty-seven (2947), twenty-nine hundred fifty-two (2952), thirty-two hundred eighty-three (3283), thirty-three hundred seventy-three (3373), thirty-three hundred eighty-eight (3388), thirty-four hundred three (3403), thirty-four hundred sixty-six (3466), thirty-four hundred eighty-six (3486), thirty-six hundred twelve (3612), thirty-six hundred sixty-one-a five (3661-a5), thirty-six hundred eighty-seven (3687), thirty-seven hundred seven (3707), thirty-seven hundred twenty-four (3724), thirty-seven hundred forty-one (3741), thirty-seven hundred forty-two (3742), forty-six hundred twenty-five (4625), forty-six hundred thirty-c one (4630-c1), sixty-nine hundred forty-three-c eighteen (6943-c18), ninety-one hundred thirty-seven (9137), fourteen (14), sixteen (16), seventeen (17), fifty-one hundred twenty-five (5125), fifty-two hundred twenty (5220), fifty-two hundred twenty-two (5222), fifty-two hundred twenty-four (5224), fifty-two hundred twenty-eight (5228), fifty-two hundred thirty (5230), fifty-two hundred thirty-two (5232), fifty-five hundred seventy-one (5571), fifty-five hundred seventy-two (5572), fifty-five hundred seventy-three (5573), fifty-six hundred sixty-nine (5669), sixty-five hundred seventeen (6517), sixty-nine hundred forty-three-c four (6943-c4), ten thousand seven hundred thirty-nine (10739), twelve thousand eight hundred sixteen-a one (12816-a1), and ten thousand eight hundred four (10804); and to repeal sections fifty-two hundred twenty-one (5221), fifty-two hundred twenty-three (5223), fifty-two hundred twenty-five (5225), fifty-two hundred twenty-seven (5227), fifty-two hundred twenty-nine (5229), and fifty-two hundred thirty-one (5231), Code, 1931, and enact a substitute therefor; and to repeal section fifteen (15), Code, 1931; all relating to statutory salaries and compensation of state, county, city and township officers, deputies and employees.

The bill was read first and second times and passed on file.

House File 138, a bill for an act to coordinate certain sections of the Code with the budget and financial control act (now appearing as chapter four (4), acts of the Forty-fifth General Assembly) and to render all said statutes harmonious, and to this end to amend section twenty-eight hundred ninety-one (2891),

relating to the financial affairs of the state fair board, section thirty-nine hundred seventy-nine (3979), relating to state claims for medical treatment in the state psychopathic hospital, sections forty-four hundred eighty-one (4481) and forty-four hundred eighty-two (4482), relating to apportionment of the interest on the permanent school fund, sections fifty-two hundred ninety (5290), fifty two hundred ninety-one (5291), and seventy-one hundred eighty-one (7181), relating to the registration of unpaid municipal bonds, and sections seventy-four hundred (7400) and seventy-four hundred one (7401), relating to interest on unpaid county and state warrants and to the discounting of such warrants by certain public officers, all said sections being of the Code, 1931.

The bill was read first and second times and referred to the committee on judiciary No. 1.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 65, a bill for an act relating to the powers of the board of education with respect to fire protection and insurance contracts.

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

House Concurrent Resolution 9 memorializing Congress to enact such laws as will insure the immediate cash payment of adjusted service certificates of the World War veterans. VIRGIL LEKIN, *Chief Clerk*.

HOUSE CONCURRENT RESOLUTION 9

A concurrent resolution memorializing Congress to enact such laws as will insure the immediate cash payment of the adjusted service certificates of the World War veterans.

Whereas, The immediate cash payment of the adjusted service certificates will increase tremendously the purchasing power of millions of the consuming public, distributed uniformly throughout the nation, and will provide relief for the holders thereof who are in dire need and distress because of the present unfortunate economic conditions and will lighten immeasurably the burden which cities, counties and states are now required to carry for relief, and

Whereas, The payment of said certificates will discharge and retire an acknowledged contract obligation of the government, and

Whereas, The government of the United States is now definitely committed to the policy of providing additional sums of money for the purpose of hastening recovery from the present economic crisis, now, therefore,

Be It Resolved by the House of Representatives, State of Iowa, the Senate concurring: That the Congress of the United States be respectfully memorialized to enact such laws as will insure the immediate cash payment of the adjusted service certificates at face value, with cancellation of interest accrued and refund of interest paid, and

Be It Further Resolved: That each of the Senators and Representatives in Congress from the state of Iowa be urged to support and assist in carrying out the purposes of this memorial, and

Be It Further Resolved: That the Chief Clerk of the House be and he is hereby directed to forward a copy of this memorial to each of the Senators and Representatives in Congress from the state of Iowa, and to the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Committee on Ways and Means of the House of Representatives, and to Representative Patman, of Texas, the author of H. R. 1.

The concurrent resolution was referred to the committee on military affairs.

COPIES OF SENATE FILE 172 ORDERED

By unanimous consent granted Senator Harrington, it was ordered that 1200 copies of Senate File 172 be printed.

SENATE FILE 196 REFERRED

Senator Valentine was granted unanimous consent to have Senate File 196 referred to the committee on motor vehicles.

PUBLIC HEARING ANNOUNCED

Senator Valentine announced that a public hearing on Senate File 196 would be held Wednesday at 2:30 p. m.

MOTION TO SUBSTITUTE

Senator Husted moved that Senate File 150 be substituted for Senate File 112, a special order at that time.

Senator Shangle moved that the Senate recess until 1:30 p. m.

As a substitute motion, Senator Knudson moved that the Senate adjourn until 10:00 a. m. Wednesday.

By unanimous consent Senator Knudson withdrew his substitute motion.

Senator Stevens of Wapello moved as a substitute for the Shangle motion that the Senate recess until 1:15 p. m.

By unanimous consent Senator Stevens of Wapello withdrew his substitute motion.

Senator Pendray moved as a substitute for the Shangle motion that the Senate recess until the fall of the gavel.

By unanimous consent Senator Pendray withdrew the motion to substitute.

As a substitute for the Shangle motion, Senator Patterson moved that the Senate recess until 2:00 p. m., which motion prevailed.

The substitution was made. The substitute motion prevailed and the Senate recessed until 2:00 p. m.

AFTERNOON SESSION

Having recessed until 2:00 p. m., the Senate reconvened, President pro tempore Harold L. Irwin presiding.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 115.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House File 115.

On motion of Senator Wilson, the Senate resolved itself into a committee of the whole.

The Senate arose from committee of the whole and resumed regular session.

PUBLIC HEARING ORDERED

Senator Patterson moved that the Senate resolve itself into a committee of the whole Wednesday at 2:30 p. m. in order to resume the public hearing on Senate File 156, which motion prevailed.

Senator Shangle was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 244, by Senators Harrington and Stevens of Wapello (by request), a bill for an act to amend chapter one hundred fifty-three (153), acts of the Forty-fifth General Assembly, relating to execution of policies of insurance.

The bill was read first and second times and referred to the committee on insurance.

Senate File 245, by Senator Calhoun, a bill for an act to repeal sections nine thousand two hundred eighty-four (9284) to and including section nine thousand three hundred five (9305), Code, 1931, relating to banks and trust companies as fiduciaries.

The bill was read first and second times and referred to the committee on banks and banking.

Senate File 246, by Senator Harrington (Burlington), a bill for an act to amend section fifty-four hundred fifty-seven (5457), Code, 1931, relating to the transfers of moneys from the domestic animal fund.

The bill was read first and second times and referred to the committee on cities and towns.

Senate File 247, by Senator Mullaney, a bill for an act to amend section four thousand seven hundred and fifty-five-b twenty-nine (4755-b29) of the Code, relating to maintenance of extension of primary roads.

The bill was read first and second times and referred to the committee on highways.

Senate File 248, by Senator Kimberly, a bill for an act to make an appropriation for the emergency needs of distressed school districts and to provide for the manner of expenditure of said funds.

The bill was read first and second times and referred to the committee on public schools.

Senate File 249, by Senator Kimberly, a bill for an act to amend section seventy-five hundred ninety-c one (7590-c1), Code, 1931, relating to the purchases of tax sale certificates in drainage districts.

The bill was read first and second times and referred to the committee on drainage.

Senate File 250, by Senator Mason, a bill for an act to amend the law as it appears in section fifty-three hundred thirty-four-c one (5334-c1), Code, 1931, relating to and authorizing the making of contracts with members of the healing art for the care of the indigent poor of the county.

The bill was read first and second times and referred to the committee on public health.

Senate File 251, by Senators Anderson and Shaw, a bill for an act to amend chapter fifty-six (56) section twenty-nine (29) of the Forty-fifth General Assembly, Extraordinary Session, providing for refunds of the gas tax to the state of Iowa and municipal units.

The bill was read first and second times and referred to the committee on ways and means.

Senate File 252, by Senator Anderson, a bill for an act to repeal section ten thousand eight hundred thirty-seven (10837), Code, 1931, and enact a substitute therefor.

The bill was read first and second times and referred to the committee on judiciary No. 1.

Senate File 253, by Senator Anderson, a bill for an act to amend section eleven thousand six hundred twenty-nine (11629), Code, 1931.

The bill was read first and second times and referred to the committee on judiciary No. 1.

Senate File 254, by Senators Nelson and McArthur, a bill for an act to repeal chapter four hundred twenty-six (426), of the Code, 1931, and to enact a substitute therefor, to provide for the licensing and bonding of warehouses for storage of agricultural products; to prohibit storage of agricultural products in grain

elevators that are not licensed; to provide for licensing of weighers and graders of agricultural products; to provide for fees for inspection and licensing of warehouses; to provide for administration of the act by the board of railroad commissioners and to provide penalties for violation of the act.

The bill was read first and second times and referred to the committee on agriculture.

Senate File 255, by Senator Pendray, a bill for an act to amend sections forty-four hundred eighty-eight (4488) and forty-five hundred seven (4507), Code of 1931, relating to interest of the permanent school fund.

The bill was read first and second times and referred to the committee on public schools.

Senate File 256, by Senator Mason, a bill for an act to amend the law as it appears in section twenty-three hundred sixty-four (2364), Code, 1931, relating to the employment of public nurses and that they shall not discriminate against any branch of the healing arts.

The bill was read first and second times and referred to the committee on public health.

Senate File 257, by Senators Bell of Crawford and Reese, a bill for an act to regulate and control the operation of amusement slot machines or devices excepting weighing machines or electric phonographs, or electric pianos containing a slot in which coins may be placed; providing for the licensing thereof by the treasurer of the state of Iowa and the granting to the treasurer of the state of Iowa, certain powers herein; providing for the allocation of the funds to be derived therefrom and fixing the amount which shall be used for expenses and which shall accrue to the state sinking fund for public deposits and to the general funds of cities and towns, including special charter cities and all counties; providing for the making of certain acts illegal and providing penalties therefor; prohibiting minors from participating or using any of such machines or devices and permitting the treasurer of state to levy license fees upon applications; providing for the prohibiting of such machines within five hundred (500) feet of public schools; giving to the district court of Polk county, Iowa, jurisdiction in all actions arising under this act, or on the

bond; and repealing all other acts or parts of act in conflict therewith.

The bill was read first and second times and referred to the committee on judiciary No. 2.

Senate File 258, by Senators Bell of Crawford, Aschenbrenner and Shangle, a bill for an act to establish an Iowa state electric board which shall have the power to define and finance transmission projects, and acquire, construct and operate same; to provide for the appointment, qualifications, term of office and removal of members of said board; to provide for the powers and duties of said Iowa state electric board; and to provide an appropriation therefor.

The bill was read first and second times and referred to the committee on public utilities.

Senate File 259, by Senators Chrystal and Roelofs, a bill for an act to provide for the creation of a county park commission, and prescribing the powers, duties, and tenure of office of said commission.

The bill was read first and second times and referred to the committee on conservation.

Senate File 260, by Senator Anderson, a bill for an act to amend section ten hundred sixty-seven (1067), Code, 1931, and enact a substitute therefor.

The bill was read first and second times and referred to the committee on judiciary No. 1.

Senate File 261, by Senator Anderson, a bill for an act to repeal section fifty-one hundred seventy-seven (5177), Code, 1931, and enact a substitute therefor.

The bill was read first and second times and referred to the committee on compensation of public officers.

Senate File 262, by Senator McArthur, a bill for an act to amend section four (4) and section thirty-one (31) of chapter fifty-six (56) of the laws of the Forty-fifth General Assembly, Extraordinary Session, relating to the posting of prices of motor vehicle fuel offered for sale.

The bill was read first and second times and referred to the committee on agriculture.

Senate File 263, by Senator Schmidt, a bill for an act to amend chapter four hundred thirty-seven (437), Code, 1931, relating to conditional sales contracts.

The bill was read first and second times and referred to the committee on judiciary No. 1.

Senate File 264, by Senator McArthur, a bill for an act to repeal chapter two hundred forty-six (246), sections forty-eight hundred seventeen (4817) to forty-eight hundred twenty-nine (4829) inclusive, Code, 1931, relating to the eradication and control of noxious weeds and to enact a substitute therefor defining the term noxious weeds, requiring the chief of the botany section of the Iowa agriculture experiment station to serve as state botanist; providing for the appointment of weed commissioners; defining the duties of the secretary of agriculture, board of supervisors, land owners and tenants; specifying order for destruction of noxious feeds; providing for assessment of cost thereof and providing penalties for the violation of the provisions of this act.

The bill was read first and second times and referred to the committee on agriculture.

Senate File 265, by Senator Reese, a bill for an act to abolish all civil actions and civil causes of actions against an employer for personal injuries sustained by workmen, arising out of and in the course of their employment; abolishing all jurisdiction of the courts of the state over such actions, except as by this act provided; substituting a remedy therefor, and providing compensation for such injuries to workmen and their dependents from a state insurance fund created for the purpose and requiring all employers of workmen to contribute to such state insurance fund according to the provisions of this act; and to create a board for the administration of the state insurance fund and to determine the compensation which may be payable to workmen or their dependents on account of such injuries, from such fund; and to repeal chapters seventy (70), seventy-one (71) and seventy-two (72) of the Code of Iowa and amendments thereto, relating

to employers liability and workmen's compensation, all subject to the provisions of this act.

The bill was read first and second times and referred to the committee on labor.

Senate File 266, by Senator Reese, a bill for an act to amend section forty-seven hundred fifty-five-b four (4755-b4), Code, 1931, as amended by chapter forty-eight (48), acts of the Forty-fifth General Assembly, Extraordinary Session, relating to the use and transfer of funds from the primary road fund and providing for the allocation of the same to the secondary road construction fund and to cities and towns upon the ratio as the total mileage in the secondary road system bears to the total mileage computed by adding the mileage in streets and roads in cities and towns to the total mileage of roads in the secondary road system and the balance remaining in said fund so transferred from the primary road fund shall be allocated to cities and towns upon the basis that the mileage in streets and roads in cities and towns shall bear to the total mileage therein added to the mileage in the secondary road system.

The bill was read first and second times and referred to the committee on cities and towns.

Senate File 267, by Senator Wilson, a bill for an act to authorize cities, including cities acting under the commission plan of government, having a population of 100,000 inhabitants or over, to own, lease, construct, erect, establish, acquire, purchase, condemn, maintain and operate a street railway system within their corporate limits, and extensions beyond such corporate limits, with all the necessary appurtenances, and to proceed by purchase, condemnation or lease, to acquire such street railway system; to call an election for the purpose of voting on the proposition of acquiring or leasing such street railway system; to bond the same for the purpose of paying therefor, adding extensions thereto or making improvements thereon, and to pledge the property and earnings for the payment of such bonds; to issue interest bearing public certificates; to exempt from taxation such street railway system and appurtenances connected therewith acquired or leased by such city; to appoint a board of trustees to manage such street railway system, and defining the powers of such board of trustees.

The bill was read first and second times and referred to the committee on cities and towns.

Senate File 268, by Senator Aschenbrenner, a bill for an act to regulate the form and contents of mortgages and deeds of trust, of real estate, hereafter executed.

The bill was read first and second times and referred to the committee on emergency legislation.

Senate File 269, by Senator Shangle, a bill for an act to amend section fifty-one hundred twenty-five (5125), Code of Iowa, 1931, relating to compensation of members of the board of supervisors by defining what is meant by committee service.

The bill was read first and second times and referred to the committee on compensation of public officers.

Senate File 270, by Senator Grunewald, a bill for an act to amend sections two (2) and thirty-one (31) of chapter fifty-six (56), acts of the Forty-fifth General Assembly, Extraordinary Session, relating to grades and classification of motor vehicle fuel and fuel oil, relating to the posting of prices of motor vehicle fuel and fuel oil offered for sale and fixing minimum requirements for such prices.

The bill was read first and second times and referred to the committee on agriculture.

Senate File 271, by Senator Shangle (by request), a bill for an act to provide for and regulate the incorporation and operation of general welfare banks under state supervision; to provide for the flow of credit to small units of society at reasonable rates; to provide depositaries for public funds and for small depositors; and for other purposes.

The bill was read first and second times and referred to the committee on banks and banking.

Senate File 272, by Senator Chrystal, a bill for an act to amend section six thousand one hundred thirty-two (6132) of the Code relating to granting of franchises.

The bill was read first and second times and referred to the committee on public utilities.

Senate File 273, by committee on insurance, a bill for an act to

amend section eighty-nine hundred eighty-one (8981) of chapter four hundred four (404), Code, 1931, to exempt liens accruing to the benefit of the old age pension fund from the general provisions relating to lien conditions in insurance contracts, other than life, invalidating policies.

The bill was read first and second times and placed on the calendar.

Senate File 274, by Senators Mason and Mullaney, a bill for an act to repeal the law as it appears in sections forty hundred ninety-six (4096), forty hundred ninety-eight (4098) to forty-one hundred five (4105), inclusive, Code, 1931, and forty hundred ninety-seven (4097), Code, 1931, as amended by chapter fifty-one (51), section fifteen (15), acts of the Forty-fifth General Assembly, relating to the election of county superintendent.

The bill was read first and second times and referred to the committee on public schools.

Senate File 275, by committee on educational institutions, a bill for an act to amend section three thousand nine hundred forty-four-d one (3944-d1), Code, 1931, relating to the powers of the Iowa state board of education with respect to fire protection and insurance contracts.

The bill was read first and second times and placed on the calendar.

Senate File 276, by Senator Harrington, a bill for an act to amend sections fifty-eight hundred thirteen-d one (5813-d1) and fifty-eight hundred thirteen-d two (5813-d2), Code, 1931, relating to the establishment of permanent park boards.

The bill was read first and second times and referred to the committee on conservation.

Senate File 277, by Senator Calhoun, a bill for an act to provide that all proceedings and discussions of the Senate and the House of Representatives, except committee work and executive sessions, shall be made a matter of record by publication in the Journals.

The bill was read first and second times and referred to the committee on rules.

Senate File 278, by Senator Calhoun, a bill for an act to pro-

hibit the conducting of a straw ballot on any candidate for election to a state or county office and publication of the results and providing a penalty therefor.

The bill was read first and second times and referred to the committee on elections.

Senate File 279, by Senator Malone, a bill for an act to prohibit public organizations, societies, institutions, etc., from engaging in the wholesale or retail merchandise business, and to provide a penalty for the violation thereof.

The bill was read first and second times and referred to the committee on manufacturing, commerce and trade.

Senate File 280, by Senators Beardsley and Calhoun, a bill for an act to repeal section thirty-eight (38), chapter eighty-two (82), acts of the Forty-fifth General Assembly in Extraordinary Session and to enact a substitute therefor and to repeal section forty-two (42), chapter eighty-two (82), acts of the Forty-fifth General Assembly in Extraordinary Session, relating to taxation.

The bill was read first and second times and referred to the committee on ways and means.

Senate File 281, by committee on motor vehicles, a bill for an act to amend section forty-seven hundred fifty-five-b thirty-six (4755-b36) of the 1931 Code, relating to the transfer of powers and duties of boards of supervisors as to primary roads.

The bill was read first and second times and placed on the calendar.

Senate File 282, by committee on departmental affairs, a bill for an act to create and establish general rules and principles to govern purchasing by or on behalf of the state, to create, define the powers and duties, and fix the salaries of purchasing agents, and to repeal sections two hundred ninety-six (296), two hundred ninety-seven (297), two hundred ninety-eight (298), two hundred ninety-nine (299), three hundred (300), three hundred one (301), three hundred two (302), three hundred four (304), three hundred five (305), three thousand two hundred ninety-d one (3290-d1), three thousand three hundred thirty-five (3335), three thousand three hundred thirty-six (3336), three thousand three hundred thirty-seven (3337), three thousand three hundred thirty-

eight (3338), three thousand three hundred thirty-nine (3339), and three thousand three hundred forty-seven (3347) of the Code, 1931, as amended up to the time of the passage of this act, and all other acts or parts of acts inconsistent herewith.

The bill was read first and second times and placed on the calendar.

Senate File 283, by committee on departmental affairs, a bill for an act to create and define the powers and duties of the state department of public welfare and of the state board of public welfare, and to fix the manner of selection of said board; to create and define the powers and duties of county welfare boards; to abolish the board of control of state institutions, the old age assistance commission, the board of parole, and the office of overseer of the poor; to modify the laws pertaining to state and/or county administration and supervision of welfare, poor relief, county homes, indigent tubercular patients, aid for the blind, quarantine relief, children's homes, hospitals for the insane, penal institutions, probation and paroles, widows' pensions, juvenile detention homes, medical treatment of indigent persons, old age assistance and all institutions heretofore under the jurisdiction of the board of control; to amend sections two thousand two hundred seventy (2270), two thousand two hundred seventy-six (2276), three thousand two hundred eighty-three (3283), three thousand two hundred eighty-seven (3287), three thousand two hundred ninety-six (3296), three thousand three hundred three (3303), three thousand three hundred six (3306), three thousand three hundred eight (3308), three thousand three hundred seventeen (3317), three thousand three hundred twenty-two (3322), three thousand four hundred seventy-eight (3478), three thousand four hundred eighty-seven (3487), three thousand four hundred ninety-three (3493), three thousand five hundred six (3506), three thousand five hundred thirty-one (3531), three thousand five hundred forty-four (3544), three thousand five hundred sixty-six (3566), three thousand five hundred ninety-seven (3597), three thousand six hundred sixty-one-a one (3661-a1), three thousand seven hundred eighty-six (3786), three thousand seven hundred eighty-seven (3787), three thousand seven hundred eighty-eight (3788), three thousand seven hundred eighty-nine (3789), three thousand seven hundred ninety (3790), three thousand seven hundred ninety-one (3791), three thousand seven hundred ninety-three (3793),

three thousand seven hundred ninety-four (3794), three thousand seven hundred ninety-five (3795), three thousand seven hundred ninety-eight (3798), three thousand seven hundred ninety-nine (3799), three thousand eight hundred one (3801), three thousand eight hundred two (3802), three thousand eight hundred three (3803), three thousand eight hundred three-c one (3803-c1), three thousand eight hundred seven (3807), three thousand eight hundred eight (3808), three thousand eight hundred ten (3810), three thousand eight hundred eleven (3811), three thousand eight hundred fourteen (3814), three thousand eight hundred fifteen (3815), three thousand eight hundred sixteen (3816), three thousand eight hundred seventeen (3817), three thousand eight hundred eighteen (3818), three thousand eight hundred nineteen (3819), four thousand five (4005), four thousand six (4006), four thousand eight (4008), four thousand nine (4009), of the Code, 1931, section two (2), chapter thirty-eight (38), Forty-fifth General Assembly, Extra Session, sections four thousand thirteen (4013), four thousand fifteen (4015) of the Code, 1931, sections three (3), chapter thirty-eight (38), Forty-fifth General Assembly Extra Session, four (4), chapter thirty-eight (38), Forty-fifth General Assembly Extra Session, sections four thousand twenty (4020), four thousand twenty-three (4023), four thousand twenty-four (4024), of the Code, 1931, sections six (6), chapter thirty-eight (38), Forty-fifth General Assembly, Extra Session, nine (9), chapter thirty-eight (38), Forty-fifth General Assembly, Extra Session, sections four thousand thirty (4030), five thousand three hundred two (5302), five thousand three hundred four (5304), five thousand three hundred five (5305), five thousand three hundred six (5306), of the Code, 1931, sections five (5) and six (6), chapter ninety-nine (99), Forty-fifth General Assembly, sections five thousand three hundred seventeen (5317), five thousand three hundred twenty-three (5323), five thousand three hundred twenty-nine (5329), five thousand three hundred thirty (5330), five thousand three hundred thirty-four (5334), five thousand three hundred thirty-four-c one (5334-c1), five thousand three hundred thirty-six (5336), five thousand three hundred thirty-seven (5337), five thousand three hundred thirty-nine (5339), five thousand three hundred forty-one (5341), five thousand three hundred forty-three (5343), five thousand three hundred sixty-nine (5369), five thousand three hundred seventy (5370), five thousand three hundred seventy-one (5371), five thousand three hundred seventy-two

(5372), five thousand three hundred seventy-nine (5379), five thousand three hundred eighty (5380), five thousand three hundred eighty-one (5381), five thousand three hundred eighty-two (5382), five thousand three hundred eighty-three (5383), five thousand three hundred eighty-four (5384), of the Code, 1931, sections one (1) and eight (8), chapter nineteen (19), Forty-fifth General Assembly, Extra Session, as amended to date; and to repeal sections two thousand two hundred seventy-three (2273), two thousand two hundred seventy-four (2274), three thousand two hundred seventy-five (3275), three thousand two hundred seventy-six (3276), three thousand two hundred seventy-seven (3277), three thousand two hundred seventy-eight (3278), three thousand two hundred eighty-one (3281), three thousand two hundred eighty-six (3286), three thousand two hundred ninety-one (3291), three thousand two hundred ninety-two (3292), paragraph five (5) of three thousand four hundred eighty-eight (3488), three thousand four hundred eighty-nine (3489), three thousand four hundred ninety (3490), three thousand six hundred twelve (3612), three thousand six hundred thirteen (3613), three thousand six hundred sixteen (3616), three thousand six hundred sixteen-b one (3616-b1), three thousand six hundred forty-one (3641), three thousand six hundred fifty-three (3653), three thousand six hundred sixty-one-a four (3661-a4), three thousand six hundred sixty-one-a five (3661-a5), three thousand six hundred sixty-one-a six (3661-a6), three thousand seven hundred eighty-two (3782), three thousand seven hundred eighty-three (3783), three thousand seven hundred eighty-four (3784), three thousand seven hundred eighty-five (3785), section one (1), chapter thirty-eight (38), Forty-fifth General Assembly, Extra Session, sections four thousand eleven (4011), five thousand three hundred (5300), five thousand three hundred sixteen (5316), five thousand three hundred eighteen (5318), five thousand three hundred twenty (5320), five thousand three hundred twenty-one (5321), five thousand three hundred twenty-two (5322), five thousand three hundred twenty-six (5326), five thousand three hundred twenty-seven (5327), five thousand three hundred twenty-eight (5328), of the Code, 1931, chapter one hundred (100), Forty-fifth General Assembly, sections five thousand three hundred thirty-three (5333); of the Code, 1931, sections two (2), three (3), five (5) and six (6) of chapter nineteen (19), Forty-fifth General Assembly, Extra Session, and all other acts or parts of acts in conflict with this act.

The bill was read first and second times and placed on the calendar.

Senate File 284, by Senator Husted, a bill for an act to amend paragraph thirteen (13), section four thousand one hundred six (4106), of the Code, 1931, relating to the sending of reports of blind persons and deaf persons to the Iowa state board of education.

The bill was read first and second times and referred to the committee on public health.

Senate File 285, by Senators Elthon and McArthur (by request), a bill for an act to regulate the practice of buttermaking and to provide for a board to regulate the practice of buttermaking and the licensing of buttermakers and to provide for the qualifications of those applying for licenses and to provide penalties for the violation of this act.

The bill was read first and second times and referred to the committee on livestock and dairy.

Senate File 286, by Senator Calhoun, a bill for an act to repeal sections four thousand six hundred forty-four-c fifty-eight (4644-c58) to and including section four thousand six hundred forty-four-c sixty-four (4644-c64), Code, 1931, relating to road poll tax.

The bill was read first and second times and referred to the committee on county and township affairs.

HOUSE MESSAGES CONSIDERED

House File 65, a bill for an act to amend section thirty-nine hundred forty-four-d one (3944-d1), Code, 1931, relating to the powers of the board of education with respect to fire protection and insurance contracts.

The bill was read first and second times and referred to the committee on educational institutions.

The following concurrent resolution was filed:

SENATE CONCURRENT RESOLUTION 15

Be It Resolved by the Senate, the House concurring:

Whereas, The various departments of state are so overcrowded that it has become necessary to rent additional office space in outside buildings; and

Whereas, It has been deemed advisable to consider the construction of a new building to relieve this overcrowded condition:

Be It Therefore Resolved by the Senate, the House concurring: That there is hereby created a special committee, as follows: two (2) members from the House, appointed by the Speaker of the House; two (2) members from the Senate, appointed by the President of the Senate; one (1) member of the supreme court, appointed by the chief justice of the supreme court, and a member of the executive council, appointed by the council.

That said committee be instructed to inquire into the advisability and practicability of constructing a new office building on the state house grounds; said building to house the law library, general library, medical library, library commission, supreme court, clerk of the supreme court, reporter of the supreme court, code editor, attorney general, industrial commission, board of parole, and any other departments recommended by the committee.

That said committee report the result of their findings, together with their recommendations, to this session or the next regular or special session of the General Assembly.

That the members of the committee shall serve without compensation from the state, but said members shall be paid their necessary traveling and hotel expenses.

PAUL SCHMIDT.

REPORTS OF COMMITTEES

Senator Valentine submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles to which was referred House File 24, a bill for an act relating to the annual license fees for motor trucks equipped with pneumatic tires, begs leave to report it has had the same under consideration and recommends the same do pass.

JOHN K. VALENTINE, *Chairman.*

Ordered passed on file.

Senator Mullaney submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File 93, a bill for an act to amend section five thousand five hundred forty-three (5543), Code of 1931, relating to meetings of boards of township trustees, begs leave to report it has had the same under consideration and recommends the same do pass.

T. W. MULLANEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File 140, a bill for an act relating to the charging or blasting of charged holes, begs leave to report it has had the same under consideration and recommends the same do pass.

T. W. MULLANEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File 150, a bill for an act to repeal section seven thousand two hundred fifty-five-B one (7255-B1) of the Code, 1931, to enact a substitute therefor, and to amend sections seven thousand two hundred seventy-nine (7279) and seven thousand two hundred eighty-four (7284) of the Code, 1931, all relating to taxes and the collection thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

T. W. MULLANEY, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 141 by striking out the period at the end of line 11, substituting a comma in lieu thereof and adding the following: "except that the provisions of this act shall not apply to petroleum products."

PAUL SCHMIDT.

Amend Senate File 140 by striking from section one (1), line 1, following the word "unlawful" the words "charge holes or."

T. F. DRISCOLL.

Amend Senate File 76 by adding to subdivision six (6) of section one (1), the following:

"Any city which has heretofore set up a traffic safety council, or other body, by ordinance, for the construction, operation and maintenance of any such testing station, shall continue to so operate, maintain, supervise, and control said station through said traffic safety council."

GEO. A. WILSON.

Amend Senate File 112 as follows:

Strike from section one (1), lines 15 and 16, found on page two (2) of the printed bill, the following: "due the state, county, city, school district and other tax certifying and levying bodies or districts."

Amend Senate File 112 as follows:

Immediately following the period at the end of section nine (9) add the following: "Nor shall this act affect the rights to assignment of a certificate of tax sale conferred by section six thousand and forty-one (6041) of the Code of Iowa, 1931."

GEO. A. WILSON.

Amend section four (4) of Senate File 112 by striking all of that part of said section which is included in lines 19 to 32, inclusive, and by inserting in lieu thereof the following: "At such sale the parcels of property included therein shall be offered to the highest bidder, and must be paid for by such bidder or bidders within three (3) days after he or they shall have been given notice by the county auditor or his deputy of the final approval of such bid or bids. The bid of any bidder at such sale shall be considered to be an offer to buy, and the approval of such bid shall be considered to be an acceptance of said offer, and if a bid be made and approved, but not paid for within the said three (3) days, the county auditor may proceed in law or equity in the name of the county to enforce said sale and the payment for the same."

Amend section four (4) of Senate File 112 by adding an additional

sentence to said section immediately following the period in line 42 as follows:

"The approval or disapproval of these said bodies shall be given within twenty (20) days from the date of the sale."

Amend section four (4) of Senate File 112 by striking all that part of said section which begins with the word "unless" in line 49 and ends with the period in line 50.

Amend Senate File 112 by striking therefrom all of section seven (7).

Amend Senate File 112 by striking therefrom all of section eight (8).

Amend section one (1) of Senate File 112 by striking out that part of said section beginning immediately following the comma in line 18, and ending with the period in line 19, and by substituting a period in place of the comma in line 18.

Section one (1) of Senate File 112 is amended by striking all of that part of said section which begins with line 13, and ends with the period in line 22, and by inserting in lieu thereof the following: "The said county auditor or deputy county auditor may bid on each parcel of real estate offered at such sale, and may bid therefor to such an amount on each parcel as he may deem sufficient, or to such an amount as he may have been authorized or ordered to bid by one (1) or more of the tax levying or certifying bodies. If said parcel or parcels are sold to the county auditor or deputy county auditor, thereupon the county treasurer shall issue to the county a tax sale certificate for the property so purchased, and such certificates may ripen into tax deeds as provided by law."

Amend section four (4) of Senate File 112 by striking all the part of said section which begins immediately following the comma in line 2 and ends with the comma in line 4.

Amend Senate File 112 by striking therefrom all of sections eleven (11) and twelve (12).

Amend Senate File 112 by striking therefrom all of section fifteen (15).

VINCENT F. HARRINGTON.

On motion of Senator Valentine, the Senate adjourned until 10:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 13, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Edward Duea, pastor of the Dows Lutheran church at Dows.

The Journal of March 12, 1935, was approved.

PETITIONS AND MEMORIALS

The following petitions favoring the tax on the so-called "chain stores" doing business in the state were received and filed, to be referred to the committee on cities and towns:-

Senator Millhone, from residents of Page county; Senator Donohue, from residents of Floyd county; Senator Shaw, from residents of Pocahontas county; Senator Fisch, from residents of Plymouth county; Senator Anderson, from residents of Webster county; Senator Hopkins, from residents of Audubon county; Senator Miller, from residents of Cedar county; Senator Malone, from residents of Shelby and Cass counties; Senator Stevens of Wapello, from residents of Wapello county; Senator Byers, from residents of Linn county; Senator Kimberly, from residents of Scott county.

The following petition opposing the tax on the so-called "chain stores" doing business in the state was received and filed, to be referred to the committee on cities and towns:

Senator Hopkins, from residents of Dallas county.

The following petition was received and filed, to be referred to the designated committee:

Senator Dewey, from the Henry County Ministerial Association, opposing the bill legalizing pari-mutuel betting in Iowa. Committee on ways and means.

SENATE FILE 20 MADE SPECIAL ORDER

On motion of Senator Geske Senate File 20 was made a special order of business for Tuesday, March 19th, at 10:00 a. m.

SENATE FILE 123 REFERRED

By unanimous consent granted Senator Pendray, it was ordered that Senate File 123 be withdrawn from the committee on public schools and referred to the committee on appropriations.

SENATE FILE 150 SUBSTITUTED FOR SENATE FILE 112

Consideration of the motion by Senator Husted to substitute Senate File 150 for Senate File 112 was resumed.

Roll call was requested.

The question was, Shall Senate File 150 be substituted for Senate File 112?

On the question, Shall Senate File 150 be substituted for Senate File 112? the vote was:

Ayes, 27:

Anderson	Driscoll	Hopkins	Parker
Aschenbrenner	Elthon	Husted	Patterson
Beardsley	Fisch	Knudson	Pendray
Berg	Geske	Malone	Shangle
Billingsley	Goetsch	McArthur	Shaw
Calhoun	Grunewald	Millhone	Stanley
Dewey	Harrington	Nelson	

Nays, 17:

Baldwin	Corwin	Meyer	Stevens of
Bell of Crawford	Doze	Moore	Decatur
Bell of	Hush	Mullaney	Stevens of
Des Moines	Kimberly	Roelofs	Wapello
Chrystal	Mason	Schmidt	Wilson

Absent or not voting, 6:

Byers	Irwin	Reese	Valentine
Donohue	Miller		

The motion to substitute was declared to have prevailed and Senate File 150 was substituted for Senate File 112.

SENATE FILE 150 MADE SPECIAL ORDER

By unanimous consent granted Senator Wilson, it was ordered that action on Senate File 150 be deferred and made a special order of business for 10:00 a. m. Friday.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 28, a bill for an act relating to the license fees for hunting and fishing.

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

House File 141, a bill for an act to legalize the compensation paid as salaries to public officials under the provisions of chapter eighty-nine of the acts of the Forty-fifth General Assembly.

VIRGIL LEKIN, *Chief Clerk.*

ACTION ON BILLS DEFERRED

By unanimous consent granted Senator Wilson, action on Senate File 76 was deferred and the bill was ordered to retain its place on the calendar.

By unanimous consent granted Senator Roelofs, action on Senate File 108 was deferred and the bill was ordered to retain its place on the calendar.

By unanimous consent granted Senator Harrington, action on Senate File 47 was deferred and the bill was ordered to retain its place on the calendar.

By unanimous consent granted Senator Wilson, action on House File 17 was deferred and the bill was ordered to retain its place on the calendar.

THIRD READING OF BILLS

Senate File 121, a bill for an act to amend chapter three hundred thirty (330), Code, 1931, by amending sections sixty-nine hundred forty-eight (6948) and sixty-nine hundred fifty-one (6951); also, by adding additional sections to said chapter, all relating to exemptions from taxation, suspension of taxes, and remitting of taxes upon property owned by persons receiving old age assistance, was taken up and considered.

The bill was read for information.

The following amendments by the committee on ways and means were offered:

Amend section one (1) by adding as an additional paragraph the following:

"The provisions of this section shall also apply to the property of applicants for old age assistance who are eligible under the provisions of chapter nineteen (19), acts of the Forty-fifth General Assembly in Extraordinary Session, to receive old age assistance but who for the insufficiency of the old age pension fund are not receiving monthly or quarterly payments of assistance from said fund."

Further amend said section one (1) by striking from line 14 the second word "assistance" where it appears in said line, and inserting in lieu thereof the word "pension."

Amend section four (4) by adding as an additional paragraph the following:

"The provisions of this section shall also apply to the property of applicants for old age assistance who are eligible under the provisions of chapter nineteen (19), acts of the Forty-fifth General Assembly in Extraordinary Session, to receive old age assistance but who for the insufficiency of the old age pension fund are not receiving monthly or quarterly payments of assistance from said fund."

ACTION ON SENATE FILE 121 DEFERRED

By unanimous consent granted Senator Knudson, action on Senate File 121 was deferred, and the bill was ordered to retain its place on the calendar.

THIRD READING OF BILLS

House File 125, a bill for an act to amend section seventy-four hundred twenty-d eight (7420-d8), Code, 1931, relating to the liability of officers who make deposits of public funds in accordance with chapter three hundred fifty-two-d one (352-d1), Code, 1931, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Millhone moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 45:

Anderson	Bell of Crawford	Byers	Dewey
Aschenbrenner	Bell of	Calhoun	Donohue
Baldwin	Des Moines	Chrystal	Doze
Beardsley	Berg	Corwin	Elthon

Fisch	Irwin	Millhone	Schmidt
Geske	Kimberly	Moore	Shangle
Goetsch	Knudson	Mullaney	Shaw
Grunewald	Malone	Nelson	Stanley
Harrington	Mason	Parker	Stevens of
Hopkins	McArthur	Patterson	Decatur
Hush	Meyer	Pendray	Wilson
Husted	Miller	Roelofs	

Nays, none.

Absent or not voting, 5:

Billingsley	Reese	Stevens of	Valentine
Driscoll		Wapello	

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

Senator Pendray moved that the vote by which House File 125 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate File 19, a bill for an act to amend section one (1) of chapter thirty-four (34), acts of the Extra Session of the Forty-fifth General Assembly, relating to noxious weeds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Malone moved that the reading just had be considered the third reading and be bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 43:

Anderson	Donohue	Knudson	Roelofs
Aschenbrenner	Doze	Malone	Schmidt
Baldwin	Elthon	Mason	Shangle
Beardsley	Fisch	McArthur	Shaw
Bell of Crawford	Geske	Meyer	Stanley
Bell of	Goetsch	Miller	Stevens of
Des Moines	Grunewald	Moore	Decatur
Berg	Harrington	Mullaney	Stevens of
Byers	Hopkins	Nelson	Wapello
Calhoun	Husted	Patterson	Valentine
Chrystal	Irwin	Pendray	Wilson
Dewey	Kimberly		

Nays, none.

Absent or not voting, 7:

Billingsley	Driscoll	Millhone	Reese
Corwin	Hush	Parker	

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

HOUSE FILE 106 SUBSTITUTED FOR SENATE FILE 28

On motion of Senator Elthon, House File 106 was withdrawn from the committee on banks and banking and placed on the calendar as a substitute for Senate File 28.

THIRD READING OF BILLS

House File 106, a bill for an act to amend sections ninety-four hundred four (9404) and ninety-four hundred five (9405), Code, 1931, relating to interest in all cases unless specifically agreed upon and interest on judgments and decrees, was taken up and considered.

The bill was read for information.

Senator Elthon moved that the reading just had be considered the third reading and the bill be placed on its passage.

Senator Elthon was granted unanimous consent to withdraw his motion.

ACTION ON HOUSE FILE 106 DEFERRED

On motion of Senator Elthon, action on House File 106 was deferred and the bill was ordered to retain its place on the calendar.

Senator Mullaney moved that the Senate recess until 1:00 p. m.

As a substitute motion, Senator Wilson moved that the Senate recess until 2:30 p. m., which motion prevailed.

The substitution was made. The substitute motion prevailed and the Senate recessed until 2:30 p. m.

AFTERNOON SESSION

Having recessed until 2:30 p. m., the Senate reconvened, President pro tempore Harold L. Irwin presiding.

COPIES OF SENATE FILES ORDERED

By unanimous consent granted Senator Valentine it was ordered that 600 copies of Senate File 196 and 1,200 copies of Senate File 283 be printed.

By unanimous consent granted Senator Nelson, it was ordered that 1,200 copies of Senate File 170 be printed.

By unanimous consent granted Senator Husted, it was ordered that 600 copies of Senate File 150 be printed.

On motion of Senator Roelofs, the Senate resolved itself into a committee of the whole.

The Senate arose from committee of the whole and resumed regular session.

Senator Knudson was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 287, by committee on public schools, a bill for an act to require the teaching of American government in all of the public and private elementary and secondary schools of this state; to provide for the giving of such instruction in all of the higher educational institutions of this state; and to require all persons licensed to teach in this state to have had a course of instruction in American government in one of the higher educational institutions or to take an examination in the same under the direction of the board of educational examiners and to repeal sections forty-two hundred fifty-five (4255), forty-two hundred fifty-six (4256), and forty-two hundred fifty-seven (4257), Code, 1931.

The bill was read first and second times and placed on the calendar.

Senate File 288, by committee on departmental affairs, a bill for an act to amend, revise and codify chapter eighty-nine (89) of the Code of Iowa, 1931, relating to the practice of professional engineering and land surveying; creating a board of engineering examiners and defining the duties and qualifications of the members of such board; defining the terms "professional engineering" and "land surveying;" and providing for the examination and registration of persons engaged in the practice of professional engineering and land surveying; and providing penalty for violations of this act.

The bill was read first and second times and placed on the calendar.

HOUSE MESSAGES CONSIDERED

House File 141, a bill for an act to legalize the compensation paid as salaries to public officials excepting judges of district and supreme courts, under the provisions of chapter eighty-nine (89) of the acts of the Forty-fifth General Assembly.

The bill was read first and second times and referred to the committee on compensation of public officers.

REPORTS OF COMMITTEES

Senator Knudson submitted the following report:

MR. PRESIDENT: Your committee on insurance to which was referred Senate File 104, a bill for an act to amend section eighty-nine hundred and twenty-seven (8927) of the Code, 1931, relating to investments of insurance companies organized under chapter four hundred and four (404), of the Code, 1931, begs leave to report it has had the same under consideration and recommends the same do pass.

IRVING H. KNUDSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on insurance to which was referred House File 111, a bill for an act to amend paragraph eight (8) of section eighty-eight hundred twenty-nine (8829), Code, 1931, relating to the investment of the funds of fraternal beneficiary societies, orders, or associations, begs leave to report it has had the same under consideration and recommends the same do pass.

IRVING H. KNUDSON, *Chairman.*

Ordered passed on file.

Senator Irwin submitted the following report:

MR. PRESIDENT: Your committee on rules begs leave to report that they have met with the members of the House committee on rules and recommends that the joint rules of the Forty-fifth General Assembly in Regular Session be adopted as the joint rules of the Forty-sixth General Assembly with the following amendments:

Part 1. Amend rule one (1) by adding thereto the following:

"When a bill having passed one house, is amended in the other house, and is returned to the house in which it originated for concurrence in such an amendment, the house thus to act on such an amendment shall first act on the concurrence in said amendment. If the motion to concur prevails, the bill shall then be read, as amended, and placed upon its final passage, in the manner required by the constitution. If such bill which has been returned to the house in which it originated with an amendment thereon and said amendment is amended, and the amendment as amended is concurred in, the bill shall then be read as amended and placed upon its final passage in the manner required by the constitution. If the opposite house concurs in the amendment to the amendment, the bill shall

then be read as amended and placed upon its final passage in the manner required by the constitution. If either house refuses to concur and the amending house insists on its amendment, thereby sending the bill to conference, each house, in acting upon the report of the conferees, shall adopt the report of the committee and the amendments as proposed in said report, after which the bill shall be read, as amended, and placed upon its final passage in the manner required by the constitution. After an amendment is concurred in, or a conference report adopted, no amendment or debate shall be in order."

Part 2. Amend rule two (2) by inserting after the word "doorkeeper" in line 4 the words, "or sergeant-at-arms."

Part 3. Strike all of Rule 6 and insert in lieu thereof the following: "After the report, each bill shall be signed by the President of the Senate and by the Speaker of the House, in the presence of their respective houses, and shall be first signed in the house in which the bill originated."

Part 4. Amend Rule 12 as follows:

Strike from line 4 the following words: "its own."

Strike from line 12 the following: "'substitute for' such bill)" and insert in lieu thereof the following: "'Senate (or House) substitute for Senate (or House) File)'."

Strike lines 1 and 2 of the last paragraph and insert in lieu thereof the following: "Legalizing acts of a local or private nature shall not be printed in the Journal,".

Part 5. Strike all of Rule 18.

Part 6. Amend Rule 19 by striking from lines 4, 5 and 6 the words "Code Revision Committee" and inserting in lieu thereof the following: "Judiciary Committee."

H. L. IRWIN, *Chairman.*

On the Part of the Senate.

CHARLES C. AYRES, JR., *Chairman.*

On the Part of the House.

Senator Shangle submitted the following report:

MR. PRESIDENT: Your committee on elections and contests to which was referred Senate File 138, a bill for an act to amend chapter thirty-six (36), Code, 1931, by amending section six hundred twenty-seven (627), and striking section six hundred thirty-eight (638), as the same relate to the election and duties of a county chairman and a county chairwoman, and the election of the members of the state central committee, begs leave to report it has had the same under consideration and recommends that the same do pass.

L. T. SHANGLE, *Chairman.*

Ordered passed on file.

Senator Pendray submitted the following report:

MR. PRESIDENT: Your committee on public schools to which was referred Senate File 157, a bill for an act to amend section four thousand one hundred eighty-four (4184), Code, 1931, relating to the subjects

required in consolidated districts, begs leave to report it has had the same under consideration and recommends the same do pass.

CAROLYN C. PENDRAY, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 177 by striking therefrom section one (1) and inserting in lieu thereof the following:

"Section 1. That section thirty-one hundred fifty-one (3151), Code, 1931, is hereby amended by adding after the word "hemp" in line 3 of paragraph one (1) of said section, the following: 'or marihuana'."

PAUL SCHMIDT.

Amend Senate File 150 as follows:

Amend by inserting after the word "county" in line 11, section one (1), the words, "or other tax levying and tax certifying body."

Amend by striking the period following the word "cash" in line 6, section four (4), and adding the following: "and for a sum not less than the total amount stated in the tax sale certificate including all indorsements of subsequent general taxes, interests and costs, without the written approval of a majority of all the tax levying and tax certifying bodies having any interest in said general taxes."

Amend by striking the comma following the word "estate" in line 11, section four (4), and inserting the words, "and after expenditures made for the actual and necessary repairs and upkeep of said real estate,".

ORA E. HUSTED.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 14, 1935.

The Senate met in regular session, President N. G. Kreschel presiding.

Prayer was offered by Rev. Benjamin H. Lucas, pastor of the Bethel A. M. E. church of Des Moines.

The Journal of March 13, 1935, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Reese for the day, on request of Senator Hush.

PETITIONS AND MEMORIALS

The following petition favoring the basic science bill was received and filed, to be referred to the committee on public health:

Senator Wilson, from residents of Polk county.

The following petitions opposing the basic science bill were received and filed, to be referred to the committee on public health:

Senator Hopkins, from residents of Guthrie county; Senator Wilson, from residents of Polk county.

The following petitions favoring the tax on the so-called "chain stores" doing business in the state were received and filed, to be referred to the committee on cities and towns:

Senator Shaw, from residents of Pocahontas county; Senator Grunewald, from residents of Tama county; Senator Millhone, from residents of Fremont county; Senator Driscoll, from residents of Lee county; Senator Berg, from residents of Black Hawk county; Senator Chrystal, from residents of Greene county; Senator Roelofs, from residents of Sioux county; Senator Bell of Des Moines, from residents of Des Moines county.

The following petitions were received and filed, to be referred to the designated committees:

Senator Berg, from residents of Black Hawk county, opposing Senate File 163 and House File 286. Committee on motor vehicles.

Senator Chrystal, from residents of Sac county, opposing the bill to abolish farm bureau agent. Committee on county and township affairs.

Senator Chrystal, from residents of Carroll county, favoring the bill for instruction in American government. Committee on public schools.

Senator Bell of Des Moines, from residents of Des Moines county, opposing the tax on so-called "chain stores" doing business in the state. Committee on cities and towns.

INTRODUCTION OF BILLS

Senate File 289, by committee on cities and towns, a bill for an act to legalize and validate proceedings taken by the town council of the town of Grundy Center, Iowa, authorizing and providing for the issuance of swimming pool bonds and making provisions for the levy of taxes to pay said bonds.

The bill was read first and second times and placed on the calendar.

Senate File 290, by committee on cities and towns, a bill for an act to amend section fifty-eight hundred twenty-two (5822), Code of Iowa, 1931, as amended by section thirty-nine (39), chapter one hundred twenty-one (121), laws of the Forty-fifth General Assembly of Iowa, relating to the amount or rate of tax that may be fixed by the river front improvement commission.

The bill was read first and second times and placed on the calendar.

HOUSE CONCURRENT RESOLUTION 9 CONSIDERED

By unanimous consent granted Senator Shaw, House Concurrent Resolution 9, as found on page 451 of the Senate Journal, was withdrawn from the committee on military affairs and called up for consideration.

The concurrent resolution was read for information.

On motion of Senator Shaw the concurrent resolution was adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 28.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House File 28.

HOUSE AMENDMENTS CONSIDERED

Senator Pendray called up for consideration Senate File 79, amended by the House, and moved that the Senate concur in the following amendments:

Amend section one (1) as follows:

1. Strike from line 6 the words "issuance of" and insert in lieu thereof the words "secretary to issue."

2. Strike from line 10 the period and insert in lieu thereof the following: "and said secretary shall either deliver in person or mail said warrants to the payee."

The question was, Shall the Senate concur in the House amendments?

On the question, Shall the Senate concur in the House amendments? the vote was:

Ayes, 39:

Aschenbrenner	Driscoll	Knudson	Schmidt
Beardsley	Elthon	Mason	Shangle
Bell of	Fisch	Meyer	Shaw
Des Moines	Geske	Miller	Stanley
Berg	Goetsch	Millhone	Stevens of
Billingsley	Grunewald	Moore	Decatur
Calhoun	Harrington	Mullaney	Stevens of
Corwin	Hopkins	Nelson	Wapello
Dewey	Husted	Patterson	Valentine
Donohue	Irwin	Pendray	Wilson
Doze	Kimberly		

Nays, none.

Absent or not voting, 11:

Anderson	Byers	Malone	Reese
Baldwin	Chrystal	McArthur	Roelofs
Bell of Crawford	Hush	Parker	

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

Senator Pendray moved that the bill as amended be given its final reading and be placed upon its passage, which motion prevailed, and the bill as amended was read.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 40:

Aschenbrenner	Doze	Kimberly	Patterson
Baldwin	Driscoll	Knudson	Pendray
Beardsley	Elthon	Malone	Schmidt
Bell of	Fisch	Mason	Shangle
Des Moines	Geske	Meyer	Shaw
Berg	Goetsch	Miller	Stanley
Calhoun	Grunewald	Millhone	Stevens of
Chrystal	Harrington	Moore	Decatur
Corwin	Hopkins	Mullaney	Valentine
Dewey	Husted	Nelson	Wilson
Donohue	Irwin		

Nays, none.

Absent or not voting, 10:

Anderson	Byers	Parker	Stevens of
Bell of Crawford	Hush	Reese	Wapello
Billingsley	McArthur	Roelofs	

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

COMMITTEE APPOINTED

Under authority of Senate Concurrent Resolution 9, I hereby appoint Senator Schmidt and Senator Doze to serve on the committee provided for therein.

N. G. KRASCHEL, *President of the Senate.*

ACTION ON HOUSE FILE 106 TEMPORARILY DEFERRED

By unanimous consent granted Senator Elthon, action on House File 106 was temporarily deferred.

THIRD READING OF BILLS

Senate File 76, a bill for an act to amend section forty-nine hundred ninety-two (4992), Code, 1931, relating to powers of local authorities in cities and towns and granting additional powers thereto to pass and enforce ordinances for the acquisition,

erection, establishment, equipment, operation and maintenance of motor vehicle testing stations, for testing automobiles and trucks using the streets of any such city or town; providing for the collection of fees for such testing service and for applying said fees to the cost of construction, establishment, equipment, operation and maintenance of any such station, and granting to cities and towns additional powers to pay for such testing stations, including the acquisition, erection, establishment, equipment, operation and maintenance thereof, out of past or future earnings or out of the general fund, and authorizing the issuance of revenue bonds payable solely from the earnings of such stations; providing a penalty for the violation of any such ordinance, and validating all ordinances heretofore passed not inconsistent with the provisions hereof, was taken up and considered.

Senator Calhoun offered the following amendment and moved its adoption:

Amend Senate File 76 by adding to subdivision five (5) of section one (1) the following:

"The state motor vehicle department shall prescribe the shape, size, color and inscription of a sticker to be placed by any such city or town so operating a motor vehicle testing station hereunder, upon the windshield of any motor vehicle so passing the tests herein provided. Said city or town shall insert the name thereof and the date said sticker was issued.

"Said stickers shall be sold by the state to any such city or town so establishing a motor vehicle testing station, under the provisions hereof, at reasonable cost.

"Said sticker when so prepared, issued and placed shall exempt the owner and driver of the automobile so passing said test from any other tests hereunder at any place in the state of Iowa for the period for which said sticker was issued."

The motion prevailed and the amendment was adopted.

Senator Elthon offered the following amendment and moved its adoption:

Amend Senate File 76 by striking section two (2) and inserting in lieu thereof the following:

"Sec. 2. All laws in conflict herewith are to the extent of such conflict hereby suspended."

As a substitute motion, Senator Wilson offered the following amendment and moved its adoption:

As a substitute for the Elthon amendment, amend Senate File 76 by striking section two (2) thereof and renumbering the remaining sections.

The motion to substitute prevailed. The substitution was made and the Wilson amendment was adopted.

Senator Wilson offered the following amendment and moved its adoption:

Amend Senate File 76 by adding to subdivision six (6) of section one (1), the following:

"Any city which has heretofore set up a traffic safety council, or other body, by ordinance, for the construction, operation and maintenance of any such testing station, shall continue to so operate, maintain, supervise, and control said station through said traffic safety council."

The motion prevailed and the amendment was adopted.

Senator Wilson moved that the bill as amended be read a third time now and be placed upon its passage, which motion prevailed, and the bill was read a third time.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 37:

Aschenbrenner	Corwin	Hopkins	Millhone
Baldwin	Dewey	Hush	Moore
Bell of Crawford	Donohue	Husted	Mullaney
Bell of	Doze	Irwin	Parker
Des Moines	Driscoll	Kimberly	Shangle
Berg	Elthon	Knudson	Stevens of
Billingsley	Fisch	Malone	Decatur
Byers	Geske	Mason	Stevens of
Calhoun	Goetsch	McArthur	Wapello
Chrystal	Grunewald	Meyer	Wilson

Nays, 8:

Harrington	Nelson	Schmidt	Stanley
Miller	Pendray	Shaw	Valentine

Absent or not voting, 5:

Anderson	Patterson	Reese	Roelofs
Beardsley			

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

Senator Wilson moved that the vote by which Senate File 76 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

CONSIDERATION OF HOUSE FILE 106 RESUMED

House File 106, a bill for an act to amend sections ninety-four hundred four (9404) and ninety-four hundred five (9405), Code,

1931, relating to interest in all cases unless specifically agreed upon and interest on judgments and decrees, was again taken up and considered.

Senator Patterson offered the following amendment and moved its adoption:

Amend House File 106 by striking all of section two (2) and inserting in lieu thereof the following:

"Sec. 2. That section ninety-four hundred four (9404), Code, 1931, be and the same is hereby amended by striking the first six (6) lines thereof and inserting in lieu the following: 'the rate of interest shall be six (6) cents on all loans of three hundred (300) dollars or less; and on all other loans, five (5) cents on the hundred by the year in the following cases, unless the parties shall agree in writing for the payment of interest not exceeding eight (8) cents on all loans of three hundred (300) dollars or less and on all loans in excess of three hundred (300) dollars seven (7) cents on the hundred by the year;'"

Senator Valentine offered the following amendment to the Patterson amendment and moved its adoption:

Amend the amendment by Senator Patterson by striking all after the colon following the word "following" in line 4 and substituting therefor "in the following cases the rate of interest shall be six (6) cents on the hundred by the year, on all loans of three hundred (300) dollars or less; on all other loans five (5) cents on the hundred by the year; unless the parties shall agree in writing for the payment of interest not exceeding eight (8) cents on the hundred by the year on all loans of three hundred (300) dollars or less and on all loans in excess of three hundred (300) dollars seven (7) cents on the hundred by the year."

The motion prevailed and the amendment to the amendment was adopted.

Roll call was requested.

The question was, Shall the amendment as amended be adopted?

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

Ayes, 11:

Baldwin	Harrington	Nelson	Stevens of
Byers	Irwin	Patterson	Wapello
Donohue	Moore	Shaw	Valentine

Nays, 35:

Aschenbrenner	Berg	Dewey	Goetsch
Beardsley	Billingsley	Doze	Grunewald
Bell of Crawford	Calhoun	Driscoll	Hush
Bell of	Chrystal	Elthon	Husted
Des Moines	Corwin	Geske	Kimberly

Knudson	Miller	Pendray	Stanley
Malone	Millhone	Roelofs	Stevens of
Mason	Mullaney	Schmidt	Decatur
McArthur	Parker	Shangle	Wilson
Meyer			

Absent or not voting, 4:

Anderson	Fisch	Hopkins	Reese
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The motion to amend was lost.

Senator Elthon moved that the bill be read a third time now and the bill be placed on its passage, which motion prevailed, and the bill was read a third time.

The question was, Shall the bill pass?

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

Ayes, 41:

Aschenbrenner	Dewey	Irwin	Roelofs
Beardsley	Donohue	Knudson	Schmidt
Bell of Crawford	Doze	Malone	Shangle
Bell of	Driscoll	Mason	Shaw
Des Moines	Elthon	McArthur	Stanley
Berg	Geske	Meyer	Stevens of
Billingsley	Goetsch	Miller	Decatur
Byers	Grunewald	Millhone	Stevens of
Calhoun	Hopkins	Mullaney	Wapello
Chrystal	Hush	Parker	Valentine
Corwin	Husted	Pendray	Wilson

Nays, 6:

Baldwin	Harrington	Nelson	Patterson
Fisch	Kimberly		

Absent or not voting, 3:

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

Senator Elthon moved that the vote by which House File 106 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

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

AFTERNOON SESSION

Having recessed until 1:30 p. m., the Senate reconvened, Senator Knudson presiding.

BILL REFERRED

House File 32 was referred to the committee on compensation of public officials.

REPORTS OF COMMITTEES

Senator Wilson submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File 53, a bill for an act to amend sections sixty-two hundred thirty-nine (6239) and sixty-two hundred forty-one (6241), Code, 1931, relating to the authority of cities and towns to make certain purchases, and providing for the payment thereof, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

GEORGE A. WILSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File 79, a bill for an act to amend chapter two hundred eighty-seven (287) and section fifty-six hundred fifty-five (5655), Code, 1931, relating to the bond of city treasurer and the expense of procuring said bond, begs leave to report it has had the same under consideration and recommends the same do pass.

GEORGE A. WILSON, *Chairman*.

Ordered passed on file.

Senator Knudson submitted the following report:

MR. PRESIDENT: Your committee on insurance to which was referred House File 119, a bill for an act to amend section eighty-nine hundred forty (8940), Code, 1931, by striking out certain provisions relating to the inurement of policies of insurance to the benefit of one who has obtained a judgment against the insured, to repeal section nine thousand seventy-one (9071) of said code, and to enact a substitute for such stricken and repealed provisions, and to provide the time in which an action to enforce such inurement may be brought, begs leave to report it has had the same under consideration and recommends the same do pass.

IRVING KNUDSON, *Chairman*.

Ordered passed on file.

Senator Grunewald submitted the following report:

MR. PRESIDENT: Your committee on livestock and dairy to which was referred Senate File 89, a bill for an act to amend section three thousand seventy-eight (3078), Code, 1931, relating to sanitary regulations for production and sale of dairy products, begs leave to report it has had the same under consideration and recommends the same do pass.

H. J. GRUNEWALD, *Chairman*.

Ordered passed on file.

AMENDMENTS FILED

Amend House File 264, section one (1), line 4, by striking out the words "in excess of one hundred sixty-five (165) gallons."

Further amend said section by inserting in line 5 after the word "in" "or in."

PAUL SCHMIDT.

Amend Senate File 121 as follows:

Strike sections one (1), two (2) and three (3).

Amend section four (4) by striking line 1 and inserting in lieu thereof the following: "Sec. 2. Amend chapter three hundred thirty."

Renumber section five (5) as section two (2).

Strike section six (6) and insert in lieu thereof the following:

"Sec. 6. Amend chapter three hundred thirty (330), Code, 1931, section sixty-nine hundred fifty-two (6952), line 12, by adding the following phrase: 'except that no interest shall be charged against the property or estate of a person receiving or having received monthly or quarterly payments of old age assistance,'"

GEORGE A. WILSON.

Amend the committee amendment to Senate File 20 as follows:

1. Amend Senate File 20, section two (2), by striking therefrom all of paragraph "(a)" thereof, and by substituting therefor the following:

"(a) The basic sciences shall mean the following subjects: 1—Anatomy; 2—Bacteriology; 3—Chiropractic Symptomatology; 4—Hygiene; 5—Naturopathic Diagnosis; 6—Osteopathic Therapeutics; 7—Pathology; 8—Physiological Chemistry; 9—Physiology."

2. Amend section two (2) by striking therefrom all of paragraph "(b)" thereof, and by substituting therefor the following:

"(b) Any license authorizing the licentiate to offer or undertake for pay to diagnose, treat, alleviate, operate on or prescribe for, any pain, injury, disease, deformity, weakness or physical or mental condition, is a license to practice the healing arts."

3. Amend section three (3) by striking out all of said section, and substituting for the lines so stricken the following:

"There is hereby established a board of examiners in the basic sciences consisting of seven (7) members which is authorized and directed to conduct examination of all persons who shall hereafter, except as herein provided, desire to apply for a license to practice medicine and surgery, osteopathy, osteopathy and surgery, chiropractic, dentistry, dental hygiene, nursing, optometry, Christian Science, spiritual and mental healing or any other system or method of healing that may hereafter be legalized in this state; said examination shall cover the nine (9) following basic sciences: 1—Anatomy; 2—Bacteriology; 3—Chiropractic Symptomatology; 4—Hygiene; 5—Naturopathic Diagnosis; 6—Osteopathic Therapeutics; 7—Pathology; 8—Physiological Chemistry; 9—Physiology."

4. Amend section four (4) by striking out all of said section and substituting for the lines so stricken the following:

"No person except those who, prior to October 1, 1935, have matriculated in good faith in some college of their chosen profession, which college has been approved by the examining board of said profession, shall hereafter be eligible for examination or be permitted to take an examination for a license to practice medicine and surgery, osteopathy, oste-

opathy and surgery, chiropractic, dentistry, dental hygiene, nursing, optometry, Christian Science, or any other system or method of healing that may hereafter be legalized in this state, or be granted any license, until he has presented to the licensing board empowered to issue a license, a certificate of proficiency in the basic sciences as provided in this act. This requirement shall be in addition to all other requirements now or hereafter in effect with respect to the issuance of such license or licenses. A certificate of proficiency in the basic sciences shall give the holder thereof the right to practice any branch of the healing arts now legalized or which hereafter may be legalized in this state."

5. Amend by striking out all of section five (5) thereof, and to substitute for the lines so stricken the following:

"Nothing in this act shall be construed to apply to persons now holding licenses, or who matriculate prior to October 1, 1935, as physicians and surgeons, osteopaths, osteopaths and surgeons, chiropractors, dentists, dental hygienists, nurses, optometrists, Christian Scientists, suggestive therapeutics, or other spiritual or mental healers, or practitioners of any other system or method of healing, when this act becomes applicable; nor shall this act at any time be construed to apply to pharmacists, embalmers, podiatrists, barbers or cosmetologists practicing within the limits of their respective callings."

6. Amend by striking out all of section six (6) thereof, and to substitute for the lines so stricken the following:

"The Governor shall appoint a board of examiners in the basic sciences hereinafter referred to as the 'board' consisting of seven (7) members. The superintendent of public instruction of the state of Iowa shall be ex-officio a member of said board, and shall preside as the chairman thereof. The other six members shall be learned respectively in the basic sciences named herein and shall be selected as follows: Two (2) members of the faculty of the medical department of the University of Iowa, who shall be appointed for the short term of two (2) years; two (2) members of the faculty of any school of osteopathy within the state of Iowa, approved by the osteopathic examiners of Iowa, said appointment being made for a short term of four (4) years; two (2) members of the faculty of any school of chiropractic within the state of Iowa, approved by the chiropractic examiners of Iowa, said appointment being made for the short term of six (6) years. On the expiration of the term of any member the Governor shall fill the vacancy or vacancies by appointment for a term of six (6) years; on the death, resignation or removal of any member the Governor shall fill the vacancy by appointment for the unexpired portion of the term."

7. Amend by striking out all of section seven (7) thereof, and to substitute for the lines so stricken the following:

"The board shall meet and organize, as soon as practicable, after appointment. It shall have power to elect a secretary from its membership, to adopt a seal and to make such rules, in addition to the rules herein provided for, and not inconsistent with this act, as it deems expedient to carry into effect this act. The board shall have no assistants, employees or others to aid them in carrying out the provisions of this act."

8. Amend by striking out all of section eight (8) thereof, and to substitute for the lines so stricken the following:

"The secretary of the board shall keep a true and correct record of the proceedings of said board and upon the granting of a certificate of proficiency in the basic sciences shall, at the time of granting said certificate, certify to the state department of health the name, address and number of the licentiate's certificate. The board shall furnish the secretary thereof with suitable office equipment, to be paid for out of the board's funds, to keep safely and securely all records, files and data of such board."

9. Amend by striking out all of section nine (9) thereof, and to substitute for the lines so stricken the following:

"The board of examiners in the basic sciences shall furnish all articles and supplies required for the public use and necessary to enable said board to perform the duties imposed upon it by law out of its own fees."

10. Amend by striking out all of section ten (10) thereof, and to substitute for the lines so stricken the following:

"The executive council shall furnish the board with a suitable room in which to conduct the examinations held by said board, at the seat of government."

11. Amend by striking out all of section eleven (11) thereof, and to substitute for lines so stricken the following:

"Each member of the board shall, in addition to necessary traveling and hotel expenses, not exceeding five (5) dollars per day while in actual attendance at examination and board meetings, receive ten (10) dollars per day for each day so actually engaged in the discharge of his duties. The compensation and expenses of the members, and all other expenses of the board shall be paid out of the fees received from applicants, and not otherwise. Only members of the board shall prepare examination questions and grade the examination papers of applicants."

12. Amend by striking out all of section twelve (12) thereof, and to substitute for the lines so stricken the following:

"The fee for examination by the board shall be ten (10) dollars, the fee for the issuing of a certificate by authority of reciprocity as provided herein, shall be ten (10) dollars, but no applicant shall be charged an additional fee for any re-examination taken within a year after a previous examination; or an applicant having passed in three subjects or less, at his option, may have his application fee returned to him. All fees shall be paid to the secretary of the board by the applicant at the time of filing application. The secretary shall pay all money received as fees into the state treasurer to be placed in a special fund to the credit of the board. The state treasurer shall pay out of such fund the compensation and expenses of the members, and other expenses incurred by the board, on vouchers signed by the president and secretary of the board. No legislative appropriation, or any other funds, shall be provided for the maintenance, support, or expenses of the board, but all expenses and expenditures of the board, of every kind and nature, must be paid from the fees received from successful applicants."

13. Amend by adding at the end of section thirteen (13) the following:

"Such examination for a certificate of proficiency in the basic sciences shall be taken prior to the time that the applicant matriculates for his professional training."

14. Amend by striking out all of section fifteen (15) thereof, and to substitute for the lines so stricken the following:

"The board shall give public notice of the time and place of all examinations to be held under this act, and such notices shall be placed in national journals of all branches of the healing arts, in the form of paid advertisements, at least two (2) months prior to the date of any such examination, to allow all candidates to comply with the provisions of this act."

15. Amend by striking out all of section sixteen (16) thereof, and to substitute for the lines so stricken the following:

"The board shall hold regular sessions for the purpose of giving examinations not to exceed four (4) in any one year. All such examinations are to be held at Des Moines. The examinations shall cover the subjects named in this act as the basic sciences, but only such questions shall be included in the examinations the answers to which are strictly applicable to all branches of the healing arts, now legalized or that may hereafter be legalized in this state. The board shall establish rules for conducting all examinations, grading of examination papers and passing upon the qualifications of applicants as shown by such examinations. All examinations shall be written. An applicant to pass the examination must obtain a grade of not less than seventy (70) per cent in any one subject and a total average of seventy-five (75) per cent in all subjects. At any subsequent examination, after the first, that an applicant has reason to believe that the board has graded his papers unfairly, he may apply to any district court within the state, asking that a board of review be appointed to pass on the examination grades given him by the board, and the decision of such board of review shall be binding both on the applicant and the board of examiners in the basic sciences. Such board of review shall consist of five (5) members, appointed by the court, from a list of not less than ten (10) practitioners furnished to the court by the state organization of the applicant's branch of the healing arts."

16. Amend by striking out the word "Three" where the same appears at the beginning of section seventeen (17) thereof, and by inserting in lieu thereof the word and figure "Five (5)."

17. Amend by striking out all of section twenty (20) thereof, and to substitute for the lines so stricken the following:

"The board shall waive the examination provided for by this act, and shall accept in lieu of such examination, without discrimination, proof evidenced by certificate of licensure that applicant is authorized to practice a branch of the healing arts, now recognized in Iowa or that may hereafter be recognized, issued by any examining or licensing board in any such branch of the healing arts, of any state, territory, or other jurisdiction under the United States, or of any foreign country, giving an examination in anatomy, bacteriology, chemistry, hygiene,

pathology or physiology, or a majority of those subjects, and issue to such applicant a certificate of proficiency in the basic sciences as provided for in section four (4) of this act." SENATOR E. I. MASON.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 15, 1935.

The Senate met in regular session, President pro tempore Harold L. Irwin presiding.

Prayer was offered by Rev. A. C. Stark, pastor of the Methodist church at Garden Grove.

The Journal of March 14, 1935, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Reese for the day, on request of Senator Hush.

PETITIONS AND MEMORIALS

The following petitions favoring the tax on the so-called "chain stores" doing business in the state were received and filed, to be referred to the committee on cities and towns:

Senator Kimberly, from residents of Scott county; Senator Meyer, from residents of Butler county; Senator Valentine, from residents of Appanoose county; Senator Driscoll, from residents of Lee county; Senator Dewey, from residents of Washington county.

The following petitions were received and filed, to be referred to the designated committees:

Senator Patterson, from residents of Kossuth county, opposing the tax on the so-called "chain stores" doing business in the state. Committee on cities and towns.

Senator Corwin, from residents of Muscatine, favoring the gross income tax bill. Committee on ways and means.

Senator Moore, from residents of Pottawattamie county, opposing the bill to do away with county farm bureau agents. Committee on county and township affairs.

Senator Millhone, from residents of Page county, opposing House File 173. Committee on state planning.

Senator Mullaney, from residents of Allamakee county, favoring the basic science bill. Committee on public health.

Senator Irwin, from residents of Clinton county, opposing the basic science bill. Committee on public health.

COPIES OF SENATE FILES ORDERED

By unanimous consent granted Senator Bell of Des Moines, it was ordered that 600 copies of Senate File 158 be printed.

By unanimous consent granted Senator Roelofs, it was ordered that 600 copies of Senate File 282 be printed.

SENATE FILE 62 PLACED ON CALENDAR

By unanimous consent granted Senator Hopkins, it was ordered that Rule 35 be invoked and Senate File 62 be placed on the calendar.

SENATE FILE 248 REFERRED

By unanimous consent granted Senator Pendray, it was ordered that Senate File 248 be withdrawn from the committee on public schools and referred to the committee on appropriations.

SENATE CONCURRENT RESOLUTION 14 CONSIDERED

By unanimous consent granted Senator Shaw, Senate Concurrent Resolution 14, as found on page 398 of the Senate Journal, was called up for consideration.

Senator Shaw moved that the concurrent resolution be adopted.

Roll call was requested.

The question was, Shall the concurrent resolution be adopted?

On the question, Shall the concurrent resolution be adopted?

the vote was:

Ayes, 40:

Aschenbrenner	Doze	Malone	Schmidt
Baldwin	Elthon	Mason	Shangle
Beardsley	Geske	Meyer	Shaw
Bell of	Goetsch	Miller	Stanley
Des Moines	Grunewald	Millhóne	Stevens of
Billingsley	Harrington	Moore	Decatur
Byers	Hopkins	Mullaney	Stevens of
Calhoun	Husted	Parker	Wapello
Corwin	Irwin	Patterson	Valentine
Dewey	Kimberly	Pendray	Wilson
Donohue	Knudson	Roelofs	

Nays, none.

Absent or not voting, 10:

Anderson	Chrystal	Hush	Nelson
Bell of Crawford	Driscoll	McArthur	Reese
Berg	Fisch		

The concurrent resolution was adopted.

SENATE FILE 230 REREFERRED

Senator Byers asked unanimous consent to have Senate File 230 rereferred to the committee on county and township affairs. Objections were raised and the request was denied.

On motion of Senator Byers, Senate File 230 was rereferred to the committee on county and township affairs.

SENATE FILE 133 REREFERRED

Senator Elthon asked unanimous consent that Senate File 133 be referred to the committee on agriculture. Objections were raised and the request denied.

Senator Elthon moved that Senate File 133 be referred to the committee on agriculture for the purpose of conducting a public hearing.

Senator Valentine moved, as a substitute motion, that Senate File 133 be rereferred to the committee on manufacturing, commerce and trade for the purpose of a public hearing.

Senator Wilson raised the point of order that Senator Valentine had the floor. The chair ruled that the point was well taken.

The motion to substitute prevailed, the substitution was made, and the Valentine motion prevailed.

Senator Husted raised the point that the time had passed for the consideration of Senate File 150, a special order for 10:00 a. m. The chair sustained the point.

MESSAGES FROM 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 82, a bill for an act relating to the election or appointment, qualification, and tenure of school officers.

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

Senate File 101, a bill for an act providing penalties for the violation of certain provisions of the law which apply or relate to practice of pharmacy.

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

Senate File 102, a bill for an act relating to persons not engaged in the practice of pharmacy.

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

Senate File 103, a bill for an act to fix and determine the conditions and qualifications under which persons may be licensed to practice pharmacy.

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

House File 4, a bill for an act relating to the minimum salary of teachers.

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

House File 18, a bill for an act relating to the publication of notices of elections.

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

House File 30, a bill for an act to increase the punishment for violation of the law relative to the possession of machine guns.

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

House File 151, a bill for an act relating to inspection of the weight of commodities offered for sale and transferring certain duties from the department of agriculture to motor vehicle department.

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

House File 167, a bill for an act relating to the licensing, supervision and regulation of the practice of embalming.

VIRGIL LEKIN, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Husted, Senate File 150, a bill for an act to repeal section seven thousand two hundred fifty-five-B one (7255-B1) of the Code, 1931, to enact a substitute therefor, and to amend sections seven thousand two hundred seventy-nine (7279) and seven thousand two hundred eighty-four (7284) of the Code, 1931, all relating to taxes and the collection thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Husted offered the following amendments and moved their adoption:

Amend Senate File 150 as follows:

Amend by inserting after the word "county" in line 11, section one (1), the words, "or other tax levying and tax certifying body."

Amend by striking the period following the word "cash" in line 6, section four (4), and adding the following: "and for a sum not less than the total amount stated in the tax sale certificate including all indorsements of subsequent general taxes, interests and costs, without the written approval of a majority of all the tax levying and tax certifying bodies having any interest in said general taxes."

Amend by striking the comma following the word "estate" in line 11, section four (4), and inserting the words, "and after expenditures made for the actual and necessary repairs and upkeep of said real estate,".

The motion prevailed and the amendments were adopted.

Senator Husted offered the following amendment and moved its adoption:

Amend Senate File 150 by adding as section five (5) the following: "Sec. 5. Section six thousand forty-one (6041), Code, 1931, shall apply to all tax sales made under the provisions of this act."

Further amend by renumbering the remaining section.

The motion prevailed and the amendment was adopted.

Senator Kimberly offered the following amendment and moved its adoption:

Amend Senate File 150 by inserting as section five (5) the following: "Sec. 5. General taxes and special assessments, including the collection thereof, levied by a special charter city, levying and collecting its own taxes and special assessments should not be affected by any such sale to the county in which said real estate is located."

And to further amend by renumbering section five (5) as section six (6).

The motion prevailed and the amendment was adopted.

Senator Harrington offered the following amendment and moved its adoption:

Amend Senate File 150 by adding to section four (4) the following paragraph:

"Provided, however, that the provisions of this act shall not apply to counties having a population of not less than ninety-eight thousand (98,000) nor more than one hundred five thousand (105,000) and counties having a population of not less than forty thousand (40,000) nor more than forty-five thousand (45,000)."

By unanimous consent, Senator Harrington withdrew the amendment.

Senator Elthon offered the following amendment and moved its adoption:

Amend Senate File 150 by striking in section one (1), line 8, the word "shall," and inserting in lieu thereof the word "may."

By unanimous consent, Senator Elthon withdrew the amendment.

Senators Harrington and Driscoll offered the following amendment and moved its adoption:

Amend Senate File 150 by inserting after section six (6) in said act, the following:

"Sec. 7. The adoption of this act in any county shall be in the discretion of the board of supervisors and shall not be in full force and effect therein until approved by the board of supervisors.

"Sec. 8. It shall be discretionary with the board of supervisors whether bids on behalf of the public shall be made upon general taxes only, special assessments only, or both general taxes and special assessments, and the county auditor in bidding shall follow the instructions of the board of supervisors with respect thereto."

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 6:

Corwin	Driscoll	Kimberly	Schmidt
Donohue	Harrington		

Nays, 35:

Aschenbrenner	Fisch	Meyer	Roelofs
Bell of	Geske	Miller	Shangle
Des Moines	Goetsch	Millhone	Shaw
Berg	Grunewald	Moore	Stanley
Billingsley	Hopkins	Mullaney	Stevens of
Byers	Husted	Nelson	Decatur
Calhoun	Knudson	Parker	Stevens of
Chrystal	Malone	Patterson	Wappello
Dewey	Mason	Pendray	Wilson
Doze	McArthur		

Absent or not voting, 9:

Anderson	Bell of Crawford	Hush	Reese
Baldwin	Elthon	Irwin	Valentine
Beardsley			

The motion to amend was lost.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 150 by striking in section one (1), line 8, the word "shall," and inserting in lieu thereof the word "may."

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 17:

Bell of Crawford	Driscoll	Meyer	Schmidt
Byers	Elthon	Moore	Shaw
Calhoun	Harrington	Pendray	Valentine
Corwin	Malone	Roelofs	Wilson
Donohue			

Nays, 26:

Aschenbrenner	Fisch	Knudson	Patterson
Baldwin	Geske	Mason	Shangle
Berg	Goetsch	Miller	Stanley
Billingsley	Grunewald	Millhone	Stevens of
Chrystal	Hopkins	Mullaney	Decatur
Dewey	Husted	Nelson	Stevens of
Doze	Kimberly	Parker	Wapello

Absent or not voting, 7:

Anderson	Bell of	Hush	McArthur
Beardsley	Des Moines	Irwin	Reese

The motion to amend was lost.

Senator Donohue moved that action on Senate File 150 be deferred and that the bill be ordered to retain its place on the calendar, which motion was lost.

Senator Wilson offered the following amendment and moved its adoption:

Amend the title of Senate File 150 by striking the period at the end of the title and inserting in lieu thereof a comma, and adding the following: "and making provision of section six thousand forty-one (6041), Code, 1931, applicable to this act."

The motion prevailed and the amendment was adopted.

Senator Husted moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 39:

Aschenbrenner	Dewey	Mason	Roelofs
Baldwin	Doze	McArthur	Schmidt
Beardsley	Elthon	Meyer	Shangle
Bell of Crawford	Fisch	Miller	Shaw
Bell of	Geske	Millhone	Stanley
Des Moines	Goetsch	Mullaney	Stevens of
Berg	Grunewald	Nelson	Decatur
Billingsley	Hopkins	Parker	Stevens of
Calhoun	Husted	Patterson	Wapello
Chrystal	Kimberly	Pendray	Valentine
Corwin	Knudson		

Nays, 2:

Harrington Irwin

. Absent or not voting, 9:

Anderson	Driscoll	Malone	Reese
Byers	Hush	Moore	Wilson
Donohue			

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

Senator Husted moved that the vote by which Senate File 150 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

COPIES SENATE FILE 195 ORDERED

By unanimous consent granted Senator Husted, it was ordered that 600 copies of Senate File 195 be printed.

Senator Kimberly was granted unanimous consent to return to House messages.

HOUSE MESSAGES CONSIDERED

House File 4, a bill for an act to amend chapter sixty-five (65), section one (1), acts of the Forty-fifth General Assembly, relating to the minimum salary of teachers.

The bill was read first and second times and referred to committee on public schools.

House File 18, a bill for an act to amend section seventy-six hundred eighty-one (7681), Code, 1931, relating to the publication of notices of election.

The bill was read first and second times and referred to committee on printing.

House File 30, a bill for an act to amend section twelve thousand nine hundred sixty-b three (12960-b3), Code, 1931, as to increase the punishment for violation of the law relative to the possession of machine guns of any nature or kind, and providing for certain exceptions.

The bill was read first and second times and referred to committee on judiciary No. 1.

House File 151, a bill for an act to amend sections thirty-two hundred forty-seven (3247) and thirty-two hundred fifty (3250), Code, 1931, relating to the inspection of the weight of commodities offered for sale and transferring certain duties from the department of agriculture to the motor vehicle department and providing a penalty for the violation thereof.

The bill was read first and second times and referred to committee on motor vehicles.

House File 167, a bill for an act to amend section twenty-five hundred eighty-five-c one (2585-c1), section twenty-five hundred eighty-five-c two (2585-c2), twenty-five hundred eighty-five-c three (2585-c3), twenty-five hundred eighty-five-c four (2585-c4), and section twenty-five hundred eighty-five-c five (2585-c5), Code, 1931, and to repeal section twenty-five hundred eighty-five-c six (2585-c6), Code, 1931, all relating to the licensing, supervision and regulation of the practice of embalming.

The bill was read first and second times and referred to committee on public health.

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

AFTERNOON SESSION

Having recessed until 1:30 p. m., the Senate reconvened, President N. G. Kraschel presiding.

On motion of Senator Irwin, the Senate resolved itself into executive session.

EXECUTIVE SESSION

The Senate arose from executive session and resumed regular session.

SENATE FILE 78 MADE SPECIAL ORDER

On motion of Senator Irwin, Senate File 78 was made a special order of business for Wednesday, March 20, at 10:00 a. m.

COPIES OF SENATE FILES 209 AND 254 ORDERED

By unanimous consent granted Senator McArthur, it was ordered that 600 copies of Senate Files 209 and 254 be printed.

PUBLIC HEARING ANNOUNCED

Senator Mullaney announced that a public hearing on Senate File 230 would be held Tuesday, at 2:30 p. m.

REPORTS OF COMMITTEES

Senator Irwin submitted the following report:

MR. PRESIDENT: Your committee on banks and banking to which was referred Senate Joint Resolution 4, a joint resolution requesting the Congress of the United States to enact a nation-wide system old-age assistance based on an equitable distribution of the cost between the federal and state governments, begs leave to report it has had the same under consideration and returns the bill without recommendation.

H. L. IRWIN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on banks and banking to which was referred Senate File 11, a bill for an act to amend section ninety-two hundred seventeen-c one (9217-c1), Code, 1931, as amended by chapter one hundred sixty-one (161) of the acts of the Forty-fifth General Assembly, relating to the minimum capitalization of state and savings banks, and trust companies, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

H. L. IRWIN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on banks and banking to which was referred Senate File 51, a bill for an act relating to the state sinking fund for public deposits, the issuance of anticipatory warrants thereon, and the refunding of outstanding and future issues thereof; to repeal sections seven thousand four hundred twenty-b three (7420-b3) of the Code of Iowa, 1931, as amended by the laws of the Forty-fifth General Assembly, chapters one hundred thirty-eight (138) and one hundred thirty-nine (139), and enact a substitute therefor; and to amend sections seven thousand four hundred twenty-b five (7420-b5), etc., begs leave to

report it has had the same under consideration and returns the bill without recommendation.

H. L. IRWIN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on banks and banking to which was referred House File 117, a bill for an act to amend sections fifty-eight hundred eighty-two (5882), fifty-eight hundred ninety (5890), and eighty-one-hundred eighty-one (8181), Code, 1931, relating to the amount of taxes which may be voted in certain instances and to harmonize said sections with the provisions of the Forty-fifth General Assembly, chapter one hundred twenty-one (121), begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

H. L. IRWIN, *Chairman.*

Ordered passed on file.

Senator Pendray submitted the following report:

MR. PRESIDENT: Your committee on public schools to which was referred Senate File 137, a bill for an act to amend sections four thousand four hundred forty-six (4446), four thousand two hundred thirty-eight (4238) and four thousand four hundred fifty-nine (4459), Code, 1931, and to repeal sections four thousand four hundred forty-seven (4447) and four thousand four hundred sixty (4460), Code, 1931, and enact substitutes therefor, relating to textbooks in the public schools, begs leave to report it has had the same under consideration and recommends the same do pass.

CAROLYN C. PENDRAY, *Chairman.*

Ordered passed on file.

Senator Miller submitted the following report:

MR. PRESIDENT: Your committee on highways to which was referred Senate File 135, a bill for an act to amend section four thousand seven hundred fifty-five-b four (4755-b4), Code, 1931, relating to disbursement of primary road fund, begs leave to report it has had the same under consideration and recommends the same do pass.

H. D. MILLER, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend my amendment to the committee amendment to Senate File 20 as follows:

Strike out the words "Christian Scientists" in line 6 of section five (5), as found on page 490 of the Senate Journal of March 14th.

Further amend said section five (5) by changing the period to a comma at the end of line 11 and adding thereto the words "or to Christian Scientists."

E. I. MASON.

Amend the committee amendments to Senate File 20 by adding at the end of section four (4) thereof, the following:

"Provided, that all schools within the state of Iowa whose graduates must comply with the provisions of this act shall receive the same amount of the state appropriations, without discrimination. E. I. MASON.

Amend the committee amendment to Senate File 20 by striking all of section six (6), and substituting in lieu thereof the following:

"Sec. 6. The Governor shall appoint a board of examiners in the basic sciences, hereinafter referred to as the 'board,' consisting of five (5) members. One (1) member shall be a physician and surgeon licensed in the state of Iowa; one (1) member shall be an osteopath, or osteopath and surgeon, licensed in the state of Iowa; one (1) member shall be a chiropractor licensed in the state of Iowa; the other two (2) members shall be persons learned in one (1) or more of the basic sciences named herein, but they shall not be licensed in, or graduates of, nor engaged in any of the professions named in title eight (8) of the Code of Iowa, 1931, and acts amendatory thereto. The members of the 'board' shall be appointed one (1) for two (2) years, two (2) for four (4) years and two (2) for six (6) years from the dates of their respective appointments. On the expiration of the term of any member the Governor shall fill the vacancy or vacancies by appointment for a term of six (6) years; on the death, resignation or removal of any member the Governor shall fill the vacancy by appointment for the unexpired portion of the term."

Further amend the committee amendment to Senate File 20 by adding after the word "secretary" in line 5 of section seven (7) thereof the following:

"Upon the first meeting of the 'board,' it shall select and approve one (1) standard textbook covering each of the basic sciences named herein, and it shall give public notice thereof, and said textbooks shall not be changed more frequently than every two (2) years. The examination questions covering each subject shall be compiled from the respective textbook so selected and approved. The subject matter of such questions shall be fully and plainly covered in the textbooks adopted."

LEO ELTHON.

Amend Senate File 141 by adding after section sixteen (16), the following:

"Sec. 17. That the driver of every motor vehicle, truck or trailer carrying explosives shall have an order, signed by the owner or person responsible for the transportation of said explosives, showing the day and hour of leaving such magazine or storage warehouse, to whom consigned and definite destination thereof; and no such motor vehicle, truck or trailer shall be on the road more than sixteen hours from origin of starting place to destination."

Further amend Senate File 141 by renumbering sections seventeen (17) and eighteen (18). PAUL SCHMIDT.

On motion of Senator Valentine, the Senate adjourned until 10:00 a.m., Monday, March 18, 1935.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 18, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Ella Sours, pastor of the Christian church.

The Journal of March 15, 1935, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Stanley for the day, on request of Senator Shaw; Senator Kimberly for the day, on request of Senator Valentine; Senator Geske for the day, on request of Senator Valentine; Senator Bell of Crawford for the day, on request of Senator Valentine; Senator Driscoll for the day, on request of Senator Roelofs; Senator Baldwin for the day, on request of Senator Knudson.

PETITIONS AND MEMORIALS

The following petitions favoring the basic science bill were received and filed, to be referred to the committee on public health:

Senator Chrystal, from the Carroll county medical association; Senator Mason, from residents of Poweshiek county.

The following petition opposing the basic science bill was received and filed, to be referred to the committee on public health:

Senator Beardsley, from residents of Warren county.

The following petitions favoring the tax on the so-called "chain stores" doing business in the state were received and filed, to be referred to the committee on cities and towns:

Senator Roelofs, from residents of Sioux county; Senator Valentine, from residents of Davis county; Senator Fisch, from residents of Cherokee county; Senator Stevens of Decatur, from residents of Decatur county; Senator Berg, from residents of Grundy county; Senator Anderson, from residents of Webster county; Senator Hopkins, from residents of Dallas county; Senator Kim-

berly, from residents of Scott county; Senator Dewey, from residents of Henry county; Senator Roelofs, from residents of O'Brien county.

The following petition opposing the tax on the so-called "chain stores" doing business in the state was received and filed, to be referred to the committee on cities and towns:

Senator Patterson, from residents of Palo Alto county.

The following petitions were received and filed, to be referred to the designated committees:

Senator Roelofs, from residents of O'Brien county, opposing the increase in sales tax. Committee on ways and means.

Senator Fisch, from residents of Plymouth county, opposing any change in present sales tax. Committee on ways and means.

Senator Roelofs, from residents of Sioux and O'Brien counties, favoring Senate Files 222 and 133. Committee on manufacturing, commerce and trade.

Senator Kimberly, from residents of Scott county, opposing House File 203. Committee on public health.

Senator Schmidt, from residents of Iowa county, opposing House File 286 and Senate File 163. Committee on motor vehicles.

Senator Berg, from residents of Black Hawk county, opposing House File 219. Committee on county and township affairs.

The following petitions favoring the bill to legalize all benevolent societies in Iowa, were received and filed, to be referred to the committee on insurance:

Senator Patterson, from residents of Palo Alto, Dickinson, Emmet, and Clay counties; Senator Roelofs, from residents of O'Brien county; Senator Shaw, from residents of Pocahontas and Buena Vista counties.

SENATE FILE 150 MESSAGED TO THE HOUSE

Senator Husted was granted unanimous consent that the rules be suspended and Senate File 150 be messaged to the House immediately.

COPIES OF SENATE FILE 224 ORDERED

By unanimous consent granted Senator Reese, it was ordered that 600 copies of Senate File 224 be printed.

BILLS PLACED ON CALENDAR

By unanimous consent granted Senator Reese, it was ordered that Rule 35 be invoked and Senate File 43 be placed on the calendar.

By unanimous consent granted Senator Shaw, it was ordered that Rule 35 be invoked and Senate File 53 be placed on the calendar.

SENATE FILE 44 WITHDRAWN

Senator Husted was granted unanimous consent to withdraw Senate File 44 from further consideration by the Senate.

COPIES OF SENATE FILE ORDERED

By unanimous consent granted Senator Roelofs, it was ordered that 600 copies of Senate File 283 be printed.

By unanimous consent granted Senator Schmidt, it was ordered that 600 copies of Senate File 183 be printed.

SENATE FILE 119 WITHDRAWN

Senator Doze was granted unanimous consent to withdraw Senate File 119 from further consideration by the Senate.

ACTION ON SENATE FILE 108 TEMPORARILY DEFERRED

By unanimous consent granted Senator Roelofs, action on Senate File 108 was temporarily deferred.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun 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 79.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File 79.

BILL SENT TO THE GOVERNOR

Senator Calhoun from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 18th day of March, 1935, sent to the Governor for his approval Senate File 79.

JOHN N. CALHOUN, *Chairman.*

Passed on file.

THIRD READING OF BILLS

Senate File 121, a bill for an act to amend chapter three hundred thirty (330), Code, 1931, by amending sections sixty-nine hundred forty-eight (6948) and sixty-nine hundred fifty-one (6951); also, by adding additional sections to said chapter, all relating to exemptions from taxation, suspension of taxes, and remitting of taxes upon property owned by persons receiving old age assistance, was again taken up and considered.

Senator Wilson offered the following amendments and moved their adoption:

Amend Senate File 121 as follows:

Strike sections one (1), two (2) and three (3).

Amend section four (4) by striking line 1 and inserting in lieu thereof the following: "Sec. 2. Amend chapter three hundred thirty."

Renumber section five (5) as section two (2).

Strike section six (6) and insert in lieu thereof the following:

"Sec. 6. Amend chapter three hundred thirty (330), Code, 1931, section sixty-nine hundred fifty-two (6952), line 12, by adding the following phrase: 'except that no interest shall be charged against the property or estate of a person receiving or having received monthly or quarterly payments of old age assistance,'"

The motion prevailed and the amendments were adopted.

Senator Knudson was granted unanimous consent to withdraw the amendments to Senate File 121 by the committee on ways and means.

Senator Wilson offered the following amendment and moved its adoption:

Amend the title so that the same will read as follows:

"A bill for an act to amend chapter three hundred thirty (330), Code, 1931, by amending sections six thousand nine hundred fifty (6950), six thousand nine hundred fifty-one (6951) and six thousand nine hundred fifty-two (6952), relating to suspension of taxes, and interest thereon, upon property owned by persons receiving old age assistance."

The motion prevailed and the amendment to the title was adopted.

Senator Wilson was granted unanimous consent that his first amendment to Senate File 121 be amended by inserting the words "on taxes" following the word "interest" in line 3 of the last paragraph of said Wilson amendment.

Unanimous consent was granted Senator Wilson to have the respective sections of Senate File 121, as amended, and the amendments corresponding thereto, correctly renumbered.

Senator Knudson moved that the reading had be considered the third reading and the bill as amended placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 40:

Anderson	Dewey	Malone	Pendray
Aschenbrenner	Donohue	Mason	Reese
Beardsley	Doze	McArthur	Roelofs
Bell of	Elthon	Meyer	Schmidt
Des Moines	Fisch	Miller	Shangle
Berg	Goetsch	Moore	Shaw
Billingsley	Grunewald	Mullaney	Stevens of
Byers	Hopkins	Nelson	Decatur
Calhoun	Hush	Parker	Valentine
Chrystal	Husted	Patterson	Wilson
Corwin	Knudson		

Nays, 1:

Harrington

Absent or not voting, 9:

Baldwin	Geske	Millhone	Stevens of
Bell of Crawford	Irwin	Stanley	Wapello
Driscoll	Kimberly		

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

ACTION ON SENATE FILE 47 DEFERRED

By unanimous consent granted Senator Harrington action on Senate File 47 was deferred, and the bill was ordered to retain its place on the calendar.

ACTION ON SENATE FILE 108 DEFERRED

Senator Roelofs moved that House File 141 be substituted for Senate File 108.

By unanimous consent, Senator Roelofs withdrew his motion to substitute, action on Senate File 108 was deferred, and the bill was ordered to retain its place on the calendar.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

House File 67, a bill for an act pertaining to a highway patrol and enforcement of provisions of same. VIRGIL LERIN, *Chief Clerk*.

THIRD READING OF BILLS

Senate File 136, a bill for an act to provide for the disposal of balances from local tax levies remaining in the primary road bond and interest redemption fund in any county, was taken up and considered.

Senator Hush offered the following amendment and moved its adoption:

Amend the title to Senate File 136 by striking the period at the end thereof and inserting a semicolon and adding the following:

"To legalize certain transfers of local tax levies; and to provide for the return to the primary road bond redemption fund of excessive transfers from such fund."

The motion prevailed and the amendment was adopted.

The bill was read for information.

Senator Roelofs moved that the reading just had be considered the third reading and the bill placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 40:

Anderson	Donohue	Knudson	Roelofs
Aschenbrenner	Doze	Malone	Schmidt
Bell of	Elthon	Mason	Shangle
Des Moines	Fisch	McArthur	Shaw
Berg	Goetsch	Meyer	Stevens of
Billingsley	Grunewald	Miller	Decatur
Byers	Harrington	Moore	Stevens of
Calhoun	Hopkins	Mullaney	Wapello
Chrystal	Hush	Parker	Valentine
Corwin	Husted	Patterson	Wilson
Dewey	Irwin	Pendray	

Nays, none.

Absent or not voting, 10:

Baldwin	Driscoll	Millhone	Reese
Beardsley	Geske	Nelson	Stanley
Bell of Crawford	Kimberly		

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

Senator Mullaney moved that the vote by which Senate File 136 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Wilson was called to the chair at 11:15 a. m.

Senate File 29, a bill for an act to prohibit state officials and employees from lobbying and to provide a penalty therefor, was taken up and considered.

The bill was read for information.

Senator Elthon offered the following amendment and moved its adoption:

Amend Senate File 29 by striking in line 2 of section one (1) both commas and the words "or indirectly."

The motion prevailed and the amendment was adopted.

President N. G. Kraschel returned to the chair at 11:30 a. m.

Senator Mason offered the following amendment and moved its adoption:

Amend Senate File 29, in line 1, by striking the words "state official" and inserting in lieu thereof the words "special interests."

Senator Donohue moved the previous question on all pending amendments and the bill itself, which motion prevailed.

Senator Wilson raised the point of order that the Mason amendment was not germane to the intent and purport of the bill. The chair sustained the point.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 23:

Aschenbrenner	Corwin	Hopkins	Pendray
Beardsley	Dewey	Hush	Roelofs
Berg	Donohue	Husted	Schmidt
Billingsley	Elthon	Nelson	Shaw
Byers	Fisch	Parker	Wilson
Calhoun	Goetsch	Patterson	

Nays, 19:

Anderson	Irwin	Miller	Stevens of
Bell of	Knudson	Moore	Decatur
Des Moines	Malone	Mullaney	Stevens of
Chrystal	Mason	Reese	Wapello
Doze	McArthur	Shangle	Valentine
Grunewald	Meyer		

Absent or not voting, 8:

Baldwin	Driscoll	Harrington	Millhone
Bell of Crawford	Geske	Kimberly	Stanley

Rule 8 was invoked.

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Valentine moved that the vote by which Senate File 29 failed to pass the Senate be reconsidered and the motion to reconsider be laid on the table.

Senator Calhoun moved to amend the Valentine motion by striking "and the motion to reconsider be laid on the table."

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 28:

Beardsley	Dewey	Hush	Parker
Berg	Donohue	Husted	Patterson
Billingsley	Elthon	Knudson	Pendray
Byers	Fisch	Malone	Roelofs
Calhoun	Goetsch	Miller	Schmidt
Chrystal	Grunewald	Mullaney	Shaw
Corwin	Hopkins	Nelson	Wilson

Nays, 10:

Anderson	Mason	Shangle	Stevens of
Bell of	Meyer	Stevens of	Wapello
Des Moines	Moore	Decatur	Valentine
Irwin			

Absent or not voting, 12:

Aschenbrenner	Doze	Harrington	Millhone
Baldwin	Driscoll	Kimberly	Reese
Bell of Crawford	Geske	McArthur	Stanley

The motion prevailed and the amendment was adopted.

The Valentine motion as amended was adopted.

ADDRESS BY FORMER GOVERNOR KENDALL

Unanimous consent was granted Senator Roelofs that the address given by former Governor Kendall on March 7, 1935, before the members of the Iowa state legislature, the Greater Des Moines Committee, and others at a dinner given by the Greater Des Moines Committee, be printed in the Senate Journal.

WASHINGTON: THE ARCHITECT OF THE CONSTITUTION

An address by N. E. Kendall at a dinner tendered by the Greater Des Moines Committee to the Senate and House of the Forty-sixth General Assembly on Thursday evening, March 7, 1935.

"Let us raise a standard to which
the honest and the wise may repair.
The event is in the hands of God."

Whoever disavows all limitations and assumes to speak of the Father of his Country in all his manifold activities and aspects and attributes: of his sterling worth as a man; of his unswerving steadfastness as a friend; of his delicate helpfulness as a neighbor; of his staid fidelity as a husband; of his consecrated loyalty as a citizen; of his consummate strategy at the battle front; of his dominant genius in the presidency;—Whoever, I say, shall be ambitious enough to adventure upon such assignment, will be confounded by the fabulous magnitude of his task, as if attempting to grasp a globe so large that it eludes his seizure. Happily for me I am enabled to escape that embarrassment; for at the request of the Greater Des Moines Committee I am about to discuss this towering prodigy for a little time—perhaps somewhat longer, if your patience persists unexhausted—not abstractly as the Olympian figure in all our history, but concretely as the principal architect of the American Constitution.

In the fifteen decades of our national existence we have produced many great men and many good men; but no great man so good, no good man so great, as George Washington. Any reliable estimate of him as soldier or statesman or seer, must consider in retrospect the memorable environment in which he lived and moved and had his august being. It is almost impossible for us of this generation to realize that only a century and

a half ago there was organized on our continent the first real republic ever instituted; bottomed upon the amazing principle that all men are created equal, and invested by their Creator with those inalienable rights which naturally attach to free men. This heretical dogma, so obnoxious to all orthodox traditions, excited a tragic disturbance in the world's chancelleries that cannot be translated into temperate phrase. Theretofore from the earliest civilization there had been enforced acquiescence in the infallibility of the king to rule the subject; a preposterous doctrine now so universally repudiated that at this moment no king in Christendom is more than a vacuous and spectacular figurehead who would be speedily deposed if he asserted even a semblance of royal prerogative. Prior, however, to the rather turbulent festivities in Boston harbor whoever challenged the venerable absurdity that temporal sovereigns were divinely anointed, was liable to be penalized for high treason, and was certain to be ostracised from polite society. The reactionary dogmatism of Pope's *Essay on Man*—"Whatever is, is right"—was preached from the pulpit, purveyed by the press, and proclaimed on the platform everywhere. And yet all along the Atlantic coast the atmosphere was vibrant with questioning, with protest, with incipient rebellion. A shot was fired by the embattled farmers of New England as they mustered near the rude bridge of Mr. Emerson's stirring verse, and it reverberated round the world. There were giants in those irreclaimable days and they should be remembered with gratitude. There was Benjamin Franklin, logical and circumspect, collecting all and singular the reasons for a divorcement from the mother country into the indisputable argument—"Taxation without representation is tyranny"—and sagely cautioning his compatriots that unless at that juncture they all hung together, it was extremely probable that they would all hang separately. There was John Adams, sedate and reticent, beseeching his reluctant brethren for an explicit expression of defiance—"Sink or swim, live or die, survive or perish, I give my hand and my heart with this vote." There was Thomas Jefferson, dignified and erudite, compacting the weightiest of postulates into the concisest of axioms—"The Almighty never intended one man to be the vassal of another." There was James Otis, inspired or insane or both, denouncing the enormous iniquities of "search and seizure" in stentorian tones distinctly audible in London. There was Patrick Henry, spontaneous and irrepressible before the Virginia burgesses in a fine frenzy exclaiming—" * * * I know not what course others may take but as for me, give me liberty or give me death." And there was the formal ultimatum that "these united colonies are, and of right ought to be, free states"—an audacious effrontery which profoundly astounded the thrones and powerfully agitated the people; but an academic pronouncement in words until redeemed by the strenuous performance of deeds. We thank God that in his favoring providence true and intrepid men and women were upraised to struggle and suffer and die in the great and enduring cause. It would be churlish to deny them commemoration at this hour. There was Betsy Ross, the quaint sweet Quakeress, forging from her hopes and prayers and tears and fears the beautiful banner which always emblemizes freedom and always symbolizes power. There was Haym Salomon, the pious Philadelphia Jew, financing the

bankrupt colonials to a round million without note or bond or other collateral, and of whom old John Hancock's daily diary recites—"His very soul was aflame with patriotism." There was Thomas Paine, villified by Edmund Burke as a bloodthirsty desperado, writing on a drumhead in the army camp his scorching arraignment of overseas oppression. There was the lamented Parker instructing his minutemen on Cambridge Green—"Don't fire unless fired upon, but if it is to be a fight let it begin here." There was Ethan Allen assaulting Fort Ticonderoga and demanding its immediate surrender. "Upon whose order?" inquired the terrified commandant. "In the name of the great Jehovah and the Continental Congress," thundered the redoubtable colonel. There was John Stark leading an attack upon outposts boasted to be impregnable, his clarion voice ringing full and clear above the roar of musketry—"Boys, we must beat the redcoats today or Molly Stark is a widow." There was the young and amiable Hale, executed as a spy, shouting from the gallows as he embraced a radiant martyrdom—"Would to God I had a dozen lives to sacrifice for my country." There was a frail bark weathering a stormy sea—"Who are you?" queried a British battleship. "Don't you know me?" bawled the first commodore of the American navy as he opened with a broadside. "Sure I'm Jack Barry, half Irish, half Yankee and whole rebel. Who the hell are ye?" There was John Paul Jones, his old ship stripped and almost sinking—"Have you struck your colors?" signalled his insolent adversary. "No," trumpeted back the daredevil seadog, "I've just begun to fight." And sustaining all these with heads bloody but unbowed,

"The doughty Continentals
in their ragged Regimentals"

battling on past Trenton, past Saratoga, past the Cowpens, until the tragedy at Bunker Hill was avenged by the triumph at Yorktown. Out of this welter of bloodshed and carnage and war there evolved the brave and knightly Washington, "modest in victory, unmoved amid alarms," who fought as fiercely at the Brandywine as he prayed fervently at Valley Forge and swore fluently at Monmouth. No sunshine patriot was he, no summer soldier to be elated by fair weather and depressed by foul; but rather a stout and ready warrior who had served and marched and bivouacked with the artillery of the storm, the cavalry of the snow and the infantry of the wild blast. He had seen his heroic comrades unfed, unclad, unpaid, unarmed,—a sorry force to encounter a formidable foe; and yet with unflinching faith and unwearied purpose and unmatched skill he had marshaled them into the invincible battalions which had eventually overwhelmed the enemies of his country. He had witnessed the issue adjudicated by the stark arbitrament of arms, and he had hailed with high rejoicing not unmixed with deep misgiving the irrevocable decision of the grim tribunal. He was at the very forefront when the independence of America was acknowledged. Under the decree of Almighty God and in the presence of the nations, the Union Jack was lowered in sore defeat, and our starry ensign unfurled to float forever!

With the capitulation of Cornwallis the oligarchy with its imperious edict was expelled, and the citizen with his untrammelled ballot was

introduced. A new epoch unveiled. Three million resolute, resourceful, reliant Americans were embarking upon an experiment in political economy unprecedented in human affairs. It was the noblest experiment ever conceived in the imagination of men, the doubtfulest experiment ever undertaken in the annals of the race—the experiment of self-government. At this moment, after a hundred and fifty years of progress and development and success, the critical situation which confronted our forefathers in that anxious time is minimized by all that has transpired since Lexington and Concord; but to them it was appalling in its complexity and uncertainty and peril. The servitude to the prince was overthrown, but the bolshevism of the populace was imminent. The sturdy commoners of that day could no more endure the stupid excesses of the mob than they could sanction the sordid exactions of the monarch. But even so in erecting a perpetual Union which should conserve the general welfare without extinguishing the local prestige, their counsels were as divided as their populations were different. There was infinite contention and bickering, crimination and recrimination. The hoary conflict between the classes—patrician and plebian—revived, with its undying hostility, its malevolent rancor, its cynical unconcern for consequences. They of the first class were reviled by the proletaire as the aristocracy; they of the second were despised by the aristocracy as the proletariat. Two schools of thought arose, and functioned violently.

Champions of the one were adamant for a centralized government so strong as virtually to abrogate the independence of the States; partisans of the other were passionate for a federal supervision so weak as inevitably to prefigure the supremacy of the States. Opposite systems indeed, and as inherently incompatible as unadulterated good and unmitigated evil. Sober students of statecraft discerned the lunatic fringe which embroidered both programs, and were disinclined wholly to accept or totally to discard either. They knew instinctively that authority indurates into despotism unless it is amenable to liberty, and that liberty degenerates into anarchy unless it is restrained by authority. They envisioned an intermediate adjustment by which the ship of State, not foundering in rabid radicalism, nor yet engulfing in stubborn conservatism, might be insured safe and unvexed navigation. The impediments were almost insuperable. The little galaxy of feeble provinces had coalesced in commendable unity in resisting a foreign dynasty; but now that their sublime revolt was finally accomplished, the envy and suspicion and jealousy they manifested toward each other seriously jeopardized their cohesion into an efficient and durable confederacy. Here was a Rubicon to be passed, if at all, only after the best calculated and most rational of compromises. Fortunately there was harmonious accord upon two obvious elementary propositions. All were in agreement that a government must be established, deriving its just powers from the consent of the governed, and changeable according to the Pilgrim stipulation at the discretion of its membership. All were in agreement that a Constitution must be ordained confirming to catholic and protestant, to puritan and cavalier, to royalist and republican, like security in life, property and the pursuit of happiness. How to effectuate these beneficent objectives was the perplexing and almost insoluble problem which dismayed

the devoted founders. A thousand expedients were offered, advocated, examined, condemned and abandoned; while a chaos bordering on utter lawlessness intensified itself.

At last the Continental Congress convoked a convention to formulate a definite testament of freedom, consolidating the thirteen several colonies into one eternal Union; a convention composed, in my opinion, of the wisest men who ever foregathered in a single conclave in our world. I solicit your attention for a moment to the remarkable personnel of that unusual company; they evoke our sincerest encomium. Massachusetts dispatched Samuel Adams, whom the great Webster regarded as more copiously and more comprehensively endowed than his distinguished cousin John. Connecticut deputed Roger Sherman, who had the isolated distinction of subscribing all of the four great state papers: the Preliminary Memorandum, the Declaration of Independence, the Articles of Confederation, and the Constitution of the United States. New York appointed Alexander Hamilton, whom Mr. Blaine eulogizes as the most constructive intellect of the revolutionary period. Pennsylvania commissioned Benjamin Franklin, whose pre-eminence as philosopher, diplomat and philanthropist already occupied the earth. South Carolina designated Cotesworth Pinckney, to whom we are obligated for the first amendment guaranteeing religious tolerance, and for the stinging rejoinder to Tallyrand that "America has millions for defense but not one cent for tribute." Virginia delegated James Madison, a publicist of ample and untarnished celebrity; John Marshall, afterwards the greatest of judges in the highest of courts; and overshadowing all, the immortal Washington, who was forthwith drafted to preside over their solemn deliberations. There is no time to enumerate all, but these are sufficient. A marvelous conjunction of extraordinary mentalities!

In that outstanding arena of incomparable excellence Washington was heard rarely—"the shallows murmur, the deeps are dumb"—and never except to indicate his impressive conclusions; but as we read and re-read the proceedings we seem always to hear the echo of his deep grave speech, and always to feel the effect of his strong sound sense. What manner of man was the diffident planter from the Old Dominion thus summoned to this paramount position? Nobody can familiarize himself with Washington's daily walk and conversation without the conviction that all his life he had pondered devoutly the practical idealism of that wondrous trinity of justice and mercy and humility so emphasized by the patriarch of old as embodying all the law and the gospel. How just he was, how merciful, how humble! Perhaps after Franklin he was the oldest man in the convention; however the seniority was, all his masterful faculties were at their ripened maturity. No equipment could have exceeded his for the transcendent opportunities presented to him, nor for the stupendous responsibilities devolved upon him. The foremost military chieftain of his era—perhaps of any era—he had unsheathed his sword not like Hannibal for revenge, not like Caesar for conquest, not like Napoleon for glory, but always and only for right and democracy. Loving honorable peace and abhorring avoidable war, he invariably spoke softly but habitually carried a big stick. No competent evidence has been discovered that he ever described himself as "too proud to fight." From the

haughtiest and most arrogant autocracy on earth he had just won a tremendous contest for representative government; he was now to superintend the merger of a baker's dozen of wrangling colonies into an indissoluble Union. It was a colossal job, contrasted with which the legendary labors of Hercules must register as merely secondary incidents. He was not unacquainted, of course, with the narrow perspective, the insular prejudices, the divisive strife, in which the embryonic states were arrayed against each other; and as he contemplated the newly liberated America, he was cognizant of other conditions sinister enough to dishearten anybody less courageously optimistic than he.

It was the zero hour in public decency, and in private conduct. Ordinary honesty had declined to a discount, and plausible roguery was flourishing at a premium. Every knavery, every corruption, every rascality, was rampant in the new-born Nation. In the spiritual decadence which for six years ensued the treaty, Washington was almost solitary in the inflexible integrity of his unconquerable soul. Conscienceless politicians infested the community, even as now in this glittering, speculating, dissipating, economizing, sweating, starving age; and they promised with raucous declamation an instantaneous panacea for every malady which afflicted the body politic. Amidst all the boisterous clamor of their transparent quackery, Washington remained unshaken. With keen sagacity he penetrated the subterfuge of every hypocrite, and with calm disdain he punctured the sophistry of every pretender. The temporizer and the timeserver, the masquerader and the marplot, the visionary enthusiast enamored of dreams and the vulgar posturer for popular acclaim—all these he shriveled with withering contempt; as for himself he never trimmed a sail to capture a capricious breeze. He loathed "rewards by venal sycophancy gained," for he scorned to "crook the pregnant hinges of the knee where thrift might follow fawning." Applause was not unwelcome to his grateful ear, but no bitterest calumny could arouse him to righteous reprisal. Once years ago when I was in Congress I asked the Reverend Edward Everett Hale, then chaplain of the United States Senate, how he interpreted Washington's complacent indifference to the vicious abuse published against him by the malodorous press which disgraced contemporary journalism. The whimsical cleric jocosely replied that of any editorial printed in a newspaper, half the people do not see it; half who see it do not read it; half who read it do not understand it; half who understand it do not believe it; half who believe it do not remember it; and that the fraction that sees it and reads it and understands it and believes it and remembers it, may be of negligible importance anyway. Washington, he surmised, knew these facts and was duly comforted. Whether the jocular deduction of the sardonic old preacher was accurate or erroneous, your present deponent saith not; but in any event the unruffled Washington, forgiving all wrongs and forgetting all wounds, went steadily forward in the noiseless tenor of his way into an imperishable renown. So grandly unresentful was he, so unretaliatory, so emulous of the meek and lowly Nazarene! Stoical in his external demeanor, his interior core was tender as the dawn. And yet like St. Paul, like Savonarola, like Lincoln, how unyielding he was when morals were involved, or ethics, or equity! Always he stood four-

square and forthright, even if he stood alone. He would not flatter Neptune for his trident, nor Jove for his power to thunder. In all the chronicles of our humanity he alone refused a more authentic crown than the dictator of Rome rejected at the Lupercal. And by that renunciation he endeared himself to all mankind above all others everywhere and evermore. On our occidental hemisphere he was the one man who enjoyed the unbounded respect of all his fellowmen of every race and creed and station. He was, indeed, to all his beleaguered countrymen as "the shadow of a great rock in a weary land." The rich and the poor, the high and the low, the prominent and the obscure, all deferred in absolute confidence to Washington. He was reputed the wealthiest man in the country, but he exhibited little of the offensive austerity which frequently disfigures swollen opulence. In his intrinsic self he was simple; simple as the Dresden Madonna of Raphael is simple, simple as the Paradise Lost of Milton is simple, simple as the Carpenter of Galilee was simple; simple as all great pictures and great poems and great persons are simple. And yet withal so urbane, so ingratiating, so punctilious that not even Sir Philip Sidney, the very flower of all romantic chivalry, was a courtlier gentleman than he—

"His word unbroken, his honor stainless"—

too proud for vanity, too candid for subtlety, too ingenuous for duplicity; a virile, rugged, manly man, fortified invulnerably against the venomous slanders of the charlatan and the demagogue. Neither the mistake of misjudgment, nor the mischief of misreport, nor the malice of misrepresentation, nor all of these combined, could alienate the plain people who cherished him with an affectionate veneration almost the equivalent of idolatry. They had summered with him and wintered with him and they knew him through and through, from the outside in and from the inside out. Lord Clarendon observed that Washington was richly dowered with the "strange power of making himself believed," which the worthy earl appraised as the "only justifiable design of all forensic oratory." That is an explanation truly explanatory. Everybody trusted him implicitly, and even his silence was eloquent. It is not surprising, therefore, that in the protracted and acrimonious debates which almost disrupted the convention his unrivaled qualities were constantly invoked to mollify all asperities, to conciliate all controversies, to accommodate all dissensions. He reduced the fever and allayed the anger, converted acute discord into earnest concurrence, and transmuted fatal estrangement into cordial fraternity. Senator Borah said recently that this incredible reconciling of elements so antagonistic was the most phenomenal achievement recorded in all the ages. How did Washington do it? Was the astonishing miracle wrought by good luck or blind chance, by rhetorical artistry or personal magnetism? Not at all. Everybody now concedes that in the last analysis he influenced his colleagues rather by the elevation of his character than by the brilliancy of his abilities; more by the rectitude of his heart than by the ascendancy of his mind. In view of the circumstances I have summarized no other avenue of inference is open by which the immeasurable service he rendered in that imposing forum can be understood. How-

ever it was, certainly it is not overpraise to insist that his invaluable leadership as moderator of the convention fairly approximated his conspicuous exploits as commander in the field. His appearance above the world's horizon just as and when and where it occurred, must discourage the most obstinate skeptic who doubts "there's a divinity shapes our ends, rough hew them as we will." To Washington more than to any other—indeed I am persuaded more than to all others—we are indebted for our Constitution in its entirety: for the supreme organic law of the land which the Grand Old Man of Britain accounted "the most wonderful work ever struck off at a given time by the brain of man," and under which we have illustrated the loftiest standards of civil administration yet attained in the experience of commonwealths.

As originally ratified the Constitution was not a perfect document; but recollecting the ferment and turmoil and hysteria which prevailed from New Hampshire to Georgia, we are constrained to recognize it as the most workable covenant that could have been fabricated with any hope of approval by the requisite number of states. From time to time it has been altered and enlarged as the enterprises of the people have diversified and multiplied. The first ten amendments so vitally essential as supplementary to the principal instrument, were submitted at once and adopted without division. The eleventh so restricted the judiciary as to exempt the states from harassing litigation. The twelfth devised the electoral college through which devious mechanism the president is quadrennially chosen. The thirteenth, fourteenth and fifteenth abolished slavery, and conferred upon the freedmen all the benefits of citizenship. The sixteenth validated the imposition by Congress of a graduated tax on incomes. The seventeenth compelled the election of United States senators by the electorate instead of by the legislatures. The eighteenth prohibited the manufacture, sale or transportation of intoxicating liquors for beverage consumption. The nineteenth extended the suffrage franchise to every woman who would admit that she was twenty-one years of age. The twentieth enjoined the inauguration of president and the assembling of Congress in January following the referendum in November. The twenty-first rescinded the eighteenth. These, and these only, are the changes which have been engrafted upon the fundamental ordinance of the Union since it was promulgated in 1787. Soon after the charter became operative the ablest Englishman of the century predicted that it would be the admiration of the ages, and the pattern for all future constitutions. Mr. Pitt's prophecy has been abundantly verified, for in the one hundred forty odd years of its life it has been a classic model employed by all federated states. No amendment in the Constitution can be effected unless first recommended by two-thirds of the states in concert, and then only if such amendment obtains subsequent adherence by the legislatures of three-fourths of the states. Thus rash revisions to its impairment are precluded, and sane modifications for its improvement permitted. The troublesome obstacles the great compact itself interposes against reckless tinkering in response to spasmodic emotion of doctrinaire and theorist, have repeatedly vindicated themselves in the checkered past. The times are disjointed, but there is no occasion for solicitude, uneasiness or apprehension. The palladium

of our liberties will not be overturned by the noisy red on the corner, nor undermined by the utopian pink in the cloister. "The common sense of most holds the fretful realm in awe." However, the Constitution is not to be enshrined as sacrosanct, nor worshipped as the alpha and omega of all available wisdom. Three additional amendments appeal to me as meritorious—First, for the dismantling of the electoral college, and the election of the president by the voters at the ballot-box. Second, for the increasing of the presidential term to six years, with the incumbent ineligible to the succession. Third, for the ratification of treaties by the majority assent of Senate and House, precisely as statutes are enacted. I invite your sympathetic consideration of these proposals.

Forgive me if I have wandered into alien territory. Let us reascend to Washington. He was unanimously selected as the first chief magistrate provided by the Constitution, and for his intimate advisers he nominated men whose eminence was eclipsed only by his own. And this was notably significant. Our greatest presidents always have surrounded themselves with great associates, as he did with Jefferson and Hamilton and Randolph; as Lincoln did with Seward and Chase and Stanton; as the "Rough Rider" did with Root and Knox and Hay. Lesser executives have sometimes preferred aggrandisement by a paltry comparison with mediocrity. But Washington himself was the unquestioned premier of his own official retinue. Under his surpassing direction the youthful nation emerged upon the far-flung theater of the world as the junior member of the international family, and entered upon its unique and uninterrupted ministry; an enlightened government of free homes and free schools and free thought and free speech, a free pulpit and a free press; a republican government of the people, by the people, and for the people, safeguarding equal rights for all and countenancing special privileges to none; a democratic government whose exalted example like the path of the just is as a shining light which shineth more and more unto the perfect day. For eight crucial and eventful years Washington fashioned the destiny of the infant republic and then, convinced of its virtue and of its permanence, he voluntarily retired to his spacious estates at Mount Vernon with "honor, love, obedience, troops of friends, to accompany his old age." From labor to refreshment!

"Out of the pain of the doing, into the joy of the done;
Out of the strain of pursuing, into a rapture well won."

There at "sunset and evening star" his gentle spirit answered the "one clear call;" and there in a stately mausoleum his sacred remains repose, the center of a nation's hallowed reverence.

Washington was not a superman informed from on high, but a common man expanded to immense proportions. His illustrious personality is a generous benefaction to all mankind; but it is the special heritage of all Americans. It belongs exclusively to us. To the other peoples of the earth we cheerfully contribute our language, our laws, our literature, our formulas of education, our concepts of government; but Washington we appropriate as exclusively our own. Until time shall be no more he will continue "first in war, first in peace, and first in the hearts of his countrymen." Yonder in the capitol city by the Potomac we have reared

to him our mightiest monument. But after all how vain it is, how inadequate, how unsatisfying.

“Nothing can cover his high fame but heaven;
No pyramids set off his memories
But the awful substance of his greatness
To which we leave him.”

THIRD READING OF BILLS

Senate File 40, a bill for an act to require state officials and employees to furnish information to members of the General Assembly and providing a penalty for refusal or failure to do so, was taken up and considered.

The bill was read for information.

Senator Malone offered the following amendment and moved its adoption:

Amend Senate File 40 by striking the publication clause.

The motion prevailed and the amendment was adopted.

Senator Shangle offered the following amendment and moved its adoption:

Amend Senate File 40, in section one (1), line 3, by striking the word “the” and inserting in lieu thereof the word “any.”

The motion prevailed and the amendment was adopted.

Senator Calhoun moved that the reading, just had be considered the third reading and the bill as amended placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 38:

Beardsley	Doze	Malone	Roelofs
Bell of	Elthon	Mason	Schmidt
Des Moines	Fisch	Meyer	Shangle
Berg	Goetsch	Miller	Shaw
Billingsley	Grunewald	Mullaney	Stevens of
Byers	Hopkins	Nelson	Dacatur
Calhoun	Hush	Parker	Stevens of
Chrystal	Husted	Patterson	Wapello
Corwin	Irwin	Pendray	Valentine
Dewey	Knudson	Reese	Wilson
Donohue			

Nays, none.

Absent or not voting, 12:

Anderson	Bell of Crawford	Harrington	Millhone
Aschenbrenner	Driscoll	Kimberly	Moore
Baldwin	Geske	McArthur	Stanley

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

Senator Calhoun moved that the vote by which Senate File 40 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

CALL OF THE SENATE FILED

We, the undersigned Senators, request a Senate call for the consideration of Senate File 20, March 19, 1935.

I. G. CHRYSTAL.

G. E. ROELOFS.

GEO. M. HOPKINS.

H. L. IRWIN.

PAUL SCHMIDT.

GEO. L. PARKER.

M. MOORE.

CARL ASCHENBRENNER.

PAUL H. ANDERSON.

JOHN W. BILLINGSLEY.

J. BERG.

E. P. DONOHUE.

FRANK C. BYERS.

REPORTS OF COMMITTEES

Senator Shaw submitted the following report:

MR. PRESIDENT: Your committee on railroads and aeronautics to which was referred Senate File 5, a bill for an act to provide the least number of men that may be employed on switch engines, or engines engaged in switching cars, and the penalty for the violation thereof, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

A. J. SHAW, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on railroads and aeronautics to which was referred Senate File 36, a bill for an act to prohibit the direct or indirect abandonment of railway stations without an authorizing order of the board of railroad commissioners and to fix and determine the procedure before said board in said matter, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

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

"Section 1. No railroad company shall abandon or discontinue any existing station or agency until it shall have filed an application therefor with the board of railroad commissioners and shall have posted fifteen (15) days notice of such intention upon the door of the depot or station

building at the place where such station or agency is located, said application and notice to be in a form to be prescribed by the board.

"Sec. 2. Any public body or citizen affected by the proposed abandonment or discontinuance of any station or agency may file objections prior to the date fixed in said notice for the abandonment or discontinuance of such station or agency with the board of railroad commissioners. Upon the filing of such objections the board shall fix a time and place for hearing thereon, which hearing shall be held within thirty (30) days from the filing of such objections. Written notice of such hearing shall be mailed by the board to the railroad company and the person or persons filing objections.

"Sec. 3. Upon said hearing the board of railroad commissioners may deny the abandonment or discontinuance of such station or agency or may grant the same in whole or in part. If no such objections are filed within the time designated for the abandonment or discontinuance of any station or agency the railroad company may proceed with such abandonment or discontinuance."

A. J. SHAW, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on railroads and aeronautics to which was referred Senate File 37, a bill for an act to amend section seventy-nine hundred seventy-two (7972) of the Code, 1931, relating to construction and equipment of cabooses, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Senate File 37 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. That the law as it appears in section seventy-nine hundred seventy-two (7972) of the Code, 1931, be amended by adding at the end of said section the following: 'It shall be unlawful except as otherwise provided in this chapter for any such common carrier by railroad to use on its lines any caboose car constructed after the taking effect of this act which shall not be of steel underframe construction.'"

A. J. SHAW, *Chairman.*

Ordered passed on file.

Senator Byers submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File 117, a bill for an act to legalize the action of the county auditor and county board of supervisors of Wayne county, Iowa, in making expenditures and issuing warrants in 1934 against the poor fund of said county, begs leave to report it has had the same under consideration and returns the bill without recommendation.

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Senator Meyer submitted the following report:

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

Senate File 130, a bill for an act to amend section seventy-five hundred eighty-three (7583) of the Code, 1931, relating to the payment of preliminary expenses in drainage districts, begs leave to report it has had the same under consideration and recommends the same do pass.

L. H. MEYER, *Chairman.*

Ordered passed on file.

Senator Byers submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File 135, a bill for an act to require the filing of the shorthand reporter's translation of his report of a trial and to constitute such filed translation a public record for the use of all parties to an appeal, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File 137, a bill for an act to amend section seven thousand one hundred forty-eight (7148), Code, 1931, relative to the certification to the state board of assessment and review of the taxable value of real and personal property, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File 178, a bill for an act to amend section ten thousand seven hundred four (10704), Code, 1931, relating to jurisdiction of superior courts, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File 214, a bill for an act to amend chapter nineteen (19) of the acts of the Forty-fifth General Assembly in Extraordinary Session, relating to the citizen qualifications of applicants for old age assistance, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Senator Roy E. Stevens submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 100, a bill for an act to make an appropriation to the city of Iowa City, Iowa, to compensate the city for expenses incurred

or to be incurred, in improving and extending its sewage system and constructing and equipping a sewage disposal plant, in proportion to the use of such system, etc., begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 123, a bill for an act to provide special school facilities for children of school age who are so disabled or defective physically that they cannot attend upon regular classes in public schools, provided it shall not apply to children who are eligible to admission to the school for the blind or the school for the deaf, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend the committee amendment to Senate File 20, by striking from section four (4) the period in line 9 thereof, and by substituting therefor a semicolon and adding thereto the following:

"provided, however, the board shall waive the examination provided for herein as to any particular basic science and shall accept in lieu of such examination proof that the applicant has been examined in the same basic sciences as a part of his professional examination required to be taken by him as a condition precedent to his being licensed under title VIII, Code of Iowa, 1931."

L. T. SHANGLE.

Amend the committee amendment to Senate File 20, section fourteen (14) by striking the words "documents and" in line 5.

Further amend the committee amendment to Senate File 20, section fourteen (14) by adding after the word "applicant" in line 8, the following: "Provided, that said application shall not contain questions to be answered by said applicant which will disclose the professional school he may have attended or what system of treating the sick he intends to pursue."

Further amend the committee amendment to Senate File 20, section sixteen (16), by striking the words following the word "year" in line 2 to and including the word "pursue" in line 4.

Further amend the committee amendment to Senate File 20, section sixteen (16) by striking the words "an adequate" in line 8, and inserting in lieu thereof the words "a reasonable."

CLAUDE STANLEY.

Amend Senate File 89 by striking all of section one (1) following the colon in line 3 thereof, and inserting in lieu thereof the following: "all creameries, producers and wholesalers of butter, engaged in the manufacture and transportation of butter shall not transport or offer for sale butter stored or packed in containers or tubs previously used for

said purpose unless the said tubs or containers have been reconditioned in a manner approved by the secretary of agriculture."

E. P. DONOHUE.

Amend the committee amendment to Senate File 20, section five (5), by striking the words and figures, "February 1, 1935," in line 8, and inserting in lieu thereof the following: "July 1, 1936,".

ORA E. HUSTED.

The following concurrent resolution was filed:

SENATE CONCURRENT RESOLUTION 16

Whereas, During the Spanish-American war the troops who were serving in the Philippine Islands in 1899 were requested by the war department to remain in service for an additional six months after the expiration of their enlistment period and until troops could be sent to replace them; and

Whereas, These troops were promised by the officers in charge that if they would so remain during the period of such emergency then existing that they would be given regular travel pay of soldiers whose enlistments expired and re-enlisted in the service of the United States, as was authorized by section fifteen (15) of the army bill then in force; and

Whereas, These troops were held in service for said six months period under such agreement and these troops were never paid such travel pay so promised; and

Whereas, Numerous citizens of the state of Iowa would be greatly benefited by such payment; and

Whereas, House Resolution 2024 of the Federal Congress covering such payment has been recommended by the war claims committee for passage;

Now, Therefore, Be It Resolved by the Senate, the House concurring: That the Congress of the United States be, and it is hereby, respectfully memorialized to enact with all convenient speed House Resolution 2024 of the Federal Congress; and

Be It Further Resolved: That the secretary of the Senate cause copies of this resolution, duly certified, to be transmitted to the senators and representatives in Congress from the state of Iowa, and that the latter be urged to use their best offices to procure the enactment of such legislation as will accomplish the purpose of this resolution.

CLAUDE STANLEY.

Senator Shangle moved that the Senate recess until 1:30 p. m.

As a substitute motion Senator Wilson moved that the Senate adjourn until 10:00 a. m. Tuesday.

The motion to substitute prevailed. The substitution was made and the substitute motion prevailed.

The Senate adjourned until 10:00 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 19, 1935.

The Senate met in regular session, President pro tempore Harold L. Irwin presiding.

Prayer was offered by Rev. J. E. De Long, pastor of the M. E. church at Nora Springs, Iowa.

The Journal of March 18, 1935, was approved.

PETITIONS AND MEMORIALS

The following petitions favoring the tax on the so-called "chain stores" doing business in the state, were received and filed, to be referred to the committee on cities and towns:

Senator Byers, from residents of Linn county; Senator Grunewald, from residents of Tama county; Senator Chrystal, from residents of Carroll county; Senator Knudson, from residents of Hardin county; Senator Donohue, from residents of Chickasaw county; Senator Miller, from residents of Cedar county; Senator Baldwin, from residents of Dubuque county.

The following petitions opposing the basic science bill were received and filed, to be referred to the committee on public health:

Senator Chrystal, from residents of Carroll county; Senator Malone, from residents of Cass county; Senator Corwin, from residents of Muscatine and Louisa counties; Senator Nelson, from residents of Boone county; Senator Stevens of Wapello, from residents of Wapello county; Senator Roelofs, from residents of O'Brien and Sioux counties; Senator Byers, from residents of Linn county; Senator Kimberly, from residents of Scott county.

The following petitions were received and filed, to be referred to the designated committees:

Senator Elthon, from residents of Winnebago, favoring the basic science bill. Committee on public health.

Senator Malone, from residents of Cass county, favoring Senate File 163. Committee on motor vehicles.

Senator Grunewald, from residents of Benton county, opposing the bill forcing merchant to absorb sales tax. Committee on ways and means.

Senator Shaw, from residents of Pocahontas county, favoring Senate File 53. Committee on ways and means.

Senator Patterson, from residents of Emmet and Dickinson counties, favoring bill to legalize benevolent societies in Iowa. Committee on insurance.

Senator Roelofs, from residents of Osceola county, favoring House File 253. Committee on ways and means.

INTRODUCTION OF BILLS

Senate File 291, by committee on judiciary No. 1, a bill for an act to amend section twelve thousand seven hundred and seventy-two (12772), Code, 1931, relating to authorized securities and investments of trust funds by fiduciaries.

The bill was read first and second times and placed on the calendar.

Senate File 292, by committee on judiciary No. 1, a bill for an act to provide for the sale or mortgage of exempt real and personal property of persons under guardianship and for the waiver of such exemptions by guardians and to prescribe the procedure therefor, and to limit the period of time within which the validity of such sale may be questioned.

The bill was read first and second times and placed on the calendar.

Senate File 293, by committee on judiciary No. 1, a bill for an act relating to mortgaging of real estate by an executor, administrator, guardian, trustee, or other person in a fiduciary capacity; to provide for the purchase by any such fiduciary, of stock in any association or corporation created or which may be created by authority of the United States and as an instrumentality of the United States, when such purchase is necessary or required as an incident or condition of obtaining from or through any such association or corporation, a real estate mortgage loan on land

belonging to the estate of a deceased person, minor, or other incompetent, represented by such fiduciary.

The bill was read first and second times and placed on the calendar.

Senate File 294, by committee on mines and mining, a bill for an act to amend chapter sixty-eight (68), Code, 1931, relating to the filling or sealing of openings of abandoned coal mines subject to the approval of the mine inspector; relating to the breaking of any seal on any finished or abandoned mine; relating to the moving of any machinery or equipment away from such abandoned mine before the requirements of this act have been complied with; and relating to the penalty for the violation of the provisions of this act.

The bill was read first and second times and placed on the calendar.

HOUSE MESSAGES CONSIDERED

House File 67, a bill for an act to repeal section fifty hundred seventeen-a one (5017-a1), Code, 1931, and enacting a substitute therefor, pertaining to a highway patrol and enforcement of provisions of same.

The bill was read first and second times and referred to committee on motor vehicles.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun 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 82, 101, 102 and 103.

JOHN N. CALHOUN, *Chairman Senate Committee.*
DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 82, 101, 102, 103.

BILLS SENT TO THE GOVERNOR

Senator Calhoun from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully report they have on this 19th day of March, 1935, sent to the governor for his approval: Senate Files 82, 101, 102, 103.

JOHN N. CALHOUN, *Chairman.*

Passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun 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 106 and 125.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files 106 and 125.

SENATE FILE 24 WITHDRAWN

By unanimous consent granted Senator Baldwin, Senate File 24 was withdrawn from further consideration by the Senate.

President N. G. Kraschel took the chair at 10:45 a. m.

MOTION TO TAKE FROM TABLE CONSIDERED

By unanimous consent granted Senator Shangle, the motion by Senator Moore to take from the table Senate File 85, as found on page 338 of the Senate Journal, was called up for consideration.

Senator Shangle moved the previous question, which motion prevailed.

The chair ruled that it would require a two-thirds majority for the motion to reconsider to be taken from the table.

Roll call was requested.

The question was, Shall the motion to reconsider be taken from the table?

On the question, Shall the motion to reconsider be taken from the table? the vote was:

Ayes, 15:

Anderson	Driscoll	Meyer	Stevens of
Baldwin	Geske	Moore	Wapello
Billingsley	Irwin	Parker	Valentine
Corwin	Mason	Reese	Wilson

Nays, 33:

Aschenbrenner	Donohue	Kimberly	Pendray
Beardsley	Doze	Knudson	Roelofs
Bell of	Elthon	Malone	Schmidt
Des Moines	Fisch	McArthur	Shangle
Berg	Goetsch	Miller	Shaw
Byers	Grunewald	Millhone	Stanley
Calhoun	Hopkins	Mullaney	Stevens of
Chrystal	Hush	Nelson	Decatur
Dewey	Husted	Patterson	

Absent or not voting, 2:

Bell of Crawford Harrington

The motion to take from the table, having failed to receive a two-thirds majority, was lost.

SENATE FILE 85 MESSAGED TO HOUSE

By unanimous consent granted Senator Shangle, it was ordered that Senate File 85 be messaged to the House.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

Senate File 39, a bill for an act making appropriation to defray the expense of the inaugural ceremonies. VIRGIL LEKIN, *Chief Clerk.*

THIRD READING OF BILLS

There being a call of the Senate on file, a roll call revealed all members present, excepting Senators Harrington, Valentine and Bell of Crawford.

Senators Valentine and Bell of Crawford having appeared in the Senate chamber, deliberation on Senate File 20 proceeded with the understanding that no roll call be taken prior to the arrival of Senator Harrington.

The proper time having arrived, Senate File 20, a bill for an act to establish a board of examiners in the basic sciences, to provide for its organization, powers, duties and compensation, to provide for examination in the basic sciences, authorizing such board to issue a certificate of proficiency in the basic sciences, which certificate shall be a prerequisite to eligibility for examination for license to practice medicine and surgery, osteopathy, osteopathy and surgery and chiropractic or any other system or method of healing that may hereafter be legalized in the state of Iowa, to define the basic sciences, the healing arts, a license and to provide penalties for the violation of this act, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The chair announced that, by agreement, after the adoption of the committee amendment further amendments would be in order.

Senator Harrington appeared in the Senate Chamber and the call of the Senate was declared to be complete.

The bill was read for information.

The following committee amendment was adopted:

Strike out all after the enacting clause and insert in lieu thereof the following:

"Section 1. This act shall be known as the 'Iowa basic science law.'

"Sec. 2. Definitions for the purpose of this act:

(a) The basic sciences shall mean the following subjects: 1—Anatomy; 2—Physiology; 3—Chemistry; 4—Pathology; 5—Bacteriology; 6—Hygiene.

(b) The practice of the healing art shall mean holding one's self out as being able to diagnose, treat, operate or prescribe for any human disease, pain, injury, deformity or physical or mental condition and who shall either offer or undertake, by any means or method, to diagnose, treat, operate or prescribe for any human disease, pain, injury, deformity or physical or mental condition.

(c) A license shall mean a certificate issued to a person licensed to practice certain professions affecting the public health as provided in title eight (8) of the Code of Iowa, 1931, and acts amendatory thereto.

"Sec. 3. There is hereby established a board of examiners in the basic sciences of five (5) members authorized and directed to conduct a written examination of all persons who shall hereafter apply for a license to practice medicine and surgery, osteopathy, osteopathy and surgery, chiropractic or any other system or method of healing that may hereafter be legalized in this state; said examination shall cover the six (6) following

basic sciences, viz: 1—Anatomy; 2—Physiology; 3—Chemistry; 4—Pathology; 5—Bacteriology; 6—Hygiene.

"Sec. 4. No person shall hereafter be eligible for examination or be permitted to take an examination for a license to practice medicine and surgery, osteopathy, osteopathy and surgery, chiropractic or any other system or method of healing that may be hereafter legalized in this state or be granted any such license until he has presented to the licensing board empowered to issue a license, a certificate of proficiency in the basic sciences as provided in this act. This requirement shall be in addition to all other requirements now or hereafter in effect with respect to the issuance of such license or licenses.

"Sec. 5. Nothing in this act shall be construed to apply to persons holding licenses as physicians and surgeons, osteopaths, osteopaths and surgeons or chiropractors at the time this act takes effect; nor shall this act, at any time, be construed to apply to dentists, dental hygienists, nurses, pharmacists, optometrists, embalmers, podiatrists, barbers or cosmetologists practicing within the limits of their respective licenses or Christian Scientists. This act shall not apply to students regularly registered, enrolled and in attendance as of February 1, 1935, in accredited schools of medicine, osteopathy or chiropractic in the state of Iowa.

"Sec. 6. The Governor shall appoint a board of examiners in the basic sciences, hereinafter referred to as the "board," consisting of five (5) members learned respectively in the basic sciences named herein from the faculties of the universities and four (4) year colleges accredited by the Iowa State Board of Educational Examiners, who shall be appointed one (1) for two (2) years, two (2) for four (4) years and two (2) for six (6) years from the dates of their respective appointments. On the expiration of the term of any member the Governor shall fill the vacancy or vacancies by appointment for a term of six (6) years; on the death, resignation or removal of any member the Governor shall fill the vacancy by appointment for the unexpired portion of the term. No member of the board shall be licensed in the state of Iowa to engage in the practice of the healing art. Not more than one (1) member of the board shall be appointed from the faculties of any one (1) of the universities or four (4) year colleges described herein.

"Sec. 7. The board shall meet and organize, as soon as practicable, after appointment. It shall have power to elect officers from its members, to adopt a seal and to make such rules, in addition to the rules hereinafter specified, as it deems expedient to carry this act into effect. The board shall elect a chairman and secretary.

"Sec. 8. The secretary of the board shall keep a correct record of the proceedings of said board and upon the granting of a certificate of proficiency in the basic sciences shall, at the time of granting said certificate, certify to the state department of health the application upon which such certificate was issued, together with the questions submitted in the examination of such applicant and the answers thereto and such secretary shall deposit with the department of health all records not needed for the current use of his examining board.

"Sec. 9. The state department of health shall furnish the board with

all articles and supplies required for the public use and necessary to enable said board to perform the duties imposed upon it by law. Such articles and supplies shall be obtained by the departments in the same manner in which the regular supplies are obtained and the same shall be considered and accounted for as if obtained for the use of the department.

"Sec. 10. The executive council shall furnish the board with a suitable office and quarters in which to conduct the examinations held by said board at the seat of government.

"Sec. 11. Each member of the board shall, in addition to necessary traveling and hotel expenses, receive ten (10) dollars per day for each day actually engaged in the discharge of his duties, including compensation for the time spent in traveling to and from the place of conducting the examination, and for a reasonable number of days for the preparation of examination questions and the reading of papers, in addition to the time actually spent in conducting examinations. The compensation and expenses of the members and other expense of the board shall be paid out of the fees received from applicants.

"Sec. 12. The fee for examination or any re-examination by the board shall be ten (10) dollars, the fee for the issuing of a certificate by authority of reciprocity, as provided herein, shall be ten (10) dollars. All fees shall be paid to the secretary of the board by the applicant at the time of filing application. The secretary shall pay all money received as fees into the state treasury to be placed in a special fund to the credit of the board. The state treasurer shall pay out of such fund the compensation and expense of the members and other expenses incurred by the board on vouchers signed by the president and secretary of the board.

"Sec. 13. No person shall be eligible for examination for a certificate of proficiency in the basic sciences until he shall have furnished satisfactory evidence to the board that he has attained the age of twenty-one (21) years, is of good moral character and is a graduate of an accredited high school or possesses the educational qualifications equivalent to those required for graduation by an accredited high school, to be determined by the board.

"Sec. 14. Any person desiring to take the examination for a certificate of proficiency in the basic sciences shall make application to the board, at least fifteen (15) days before the examination, on a form provided by the board. Such application shall be accompanied by the examination fee and such documents and affidavits as are necessary to show the eligibility of the candidate to take such examination. All applications shall be in accordance with the rules of the board and shall be signed and verified by the oath of the applicant.

"Sec. 15. The board shall give public notice of the time and place of all examinations to be held under this act and such notice shall be given in such manner as the board may deem expedient and in ample time to allow all candidates to comply with the provisions of this title.

"Sec. 16. The board shall hold regular sessions for the purpose of giving examinations not to exceed four (4) in any one (1) year. No applicant shall be required to disclose the professional school he may have attended or what system of treating the sick he intends to pursue. The

examination shall be conducted in writing in such manner that the applicant shall be known by number only until such examination papers are read and the proper grade determined. The examination shall be of such a nature as to constitute an adequate test as to whether the person so examined has such knowledge of the elementary principles of the basic sciences as might be acquired after the completion of a course of study of the following subjects for the number of hours specified:

Subject	Hours	Subject	Hours
Anatomy	400	Pathology	160
Physiology	200	Bacteriology	100
Chemistry	200	Hygiene	40

The board shall establish rules for conducting of all examinations, grading of examinations and passing upon the technical qualifications of applicants as shown by such examinations. An applicant to pass the examination must obtain a grade of not less than seventy (70) per cent in any one (1) subject and a total average grade of seventy-five (75) per cent in all subjects.

"Sec. 17. Three (3) members of the board shall constitute a quorum for conducting examinations.

"Sec. 18. The board shall issue a certificate of proficiency in the basic sciences to each of the successful applicants after examination, as provided in this act.

"Sec. 19. Each certificate of proficiency in the basic sciences shall be in the form prescribed by the board, under the name and seal of the board and signed by its chairman and secretary.

"Sec. 20. The board may, in its discretion, waive the examination and issue a certificate of proficiency in the basic sciences provided for herein and may accept in lieu of examination proof that the applicant has passed before a board of examiners in the basic sciences or by whatsoever name it may be known, or before any examining or licensing board in the healing art of any state, territory or other jurisdiction under the United States, or of any foreign country, an examination in anatomy, physiology, chemistry, pathology, bacteriology and hygiene as comprehensive and as exhaustive as that required under authority of this act.

"Sec. 21. Any person who shall practice the healing art without first having obtained a certificate of proficiency in the basic sciences or violate or participate in the violation of any provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than five hundred (500) dollars, or by imprisonment in the county jail for not more than one (1) year or by both such fine and imprisonment. It shall be the duty of the attorney general and of the several county attorneys to prosecute violations of this act.

"Sec. 22. No provision of this act shall be construed as repealing any statutory provision in force at the time of its passage with reference to the requirements governing the issuing of licenses to practice the healing art, or any branch thereof, but any board authorized to issue licenses to practice the healing art, or any branch thereof, may, in its discretion, accept certificates issued by the board of examiners in the

basic sciences in lieu of examining applicants in such sciences, or may continue to examine applicants in such sciences as heretofore.

"Sec. 23. Should any section, clause, sentence or provision of this act be held to be invalid for any reason, such holding or decree shall not be construed as affecting the validity of any of the remaining portions of this act, it being the intent of the legislature that this act shall stand and the legislature would have adopted the remainder of this act notwithstanding the invalidity of any such section, clause, sentence or provision."

M. MOORE, *Chairman.*

Senator Roelofs offered the following amendment and moved its adoption:

Amend section sixteen (16), Senate File 20, as amended by the committee on public health, and as it now appears in the Senate Journal for March 8, 1935, on page four hundred nineteen (419) thereof, by adding the following sentence: "No part in the preparation of questions, the actual giving of the examinations or the grading of papers can in any way be delegated to any person other than a member of the board, or otherwise performed by any person not then a member of such board."

The motion prevailed and the amendment was adopted.

Senator Roelofs offered the following amendment and moved its adoption:

Amend section seven (7), Senate File 20, as amended by the committee on public health, and as it now appears in the Senate Journal for March 8, 1935, on page four hundred eighteen (418) thereof, as follows: add to said section seven (7), at the end thereof, the following words: "from its members."

The motion prevailed and the amendment was adopted.

Senator Roelofs offered the following amendment and moved its adoption:

Amend the committee amendment to Senate File 20, by striking from section six (6), line 12, the words "in the state of Iowa."

The motion prevailed and the amendment was adopted.

Senator Elthon offered the following amendment and moved its adoption:

Amend the committee amendment to Senate File 20 by striking all of section six (6), and substituting in lieu thereof the following:

"Sec. 6. The Governor shall appoint a board of examiners in the basic sciences, hereinafter referred to as the 'board,' consisting of five (5) members. One (1) member shall be a physician and surgeon licensed in the state of Iowa; one (1) member shall be an osteopath, or osteopath and surgeon, licensed in the state of Iowa; one (1) member shall be a chiropractor licensed in the state of Iowa; the other two (2) members

shall be persons learned in one (1) or more of the basic sciences named herein, but they shall not be licensed in, or graduates of, nor engaged in any of the professions named in title eight (8) of the Code of Iowa, 1931, and acts amendatory thereto. The members of the 'board' shall be appointed one (1) for two (2) years, two (2) for four (4) years and two (2) for six (6) years from the dates of their respective appointments. On the expiration of the term of any member the Governor shall fill the vacancy or vacancies by appointment for a term of six (6) years; on the death, resignation or removal of any member the Governor shall fill the vacancy by appointment for the unexpired portion of the term."

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

Amend the pending Elthon amendment by striking in line 7, section six (6), the following words and figures "one (1) or more of."

The motion prevailed and the amendment to the amendment was adopted.

Senator Reese moved that all pending amendments to Senate File 20 and the bill be rereferred to the committee on public health.

As a substitute motion, Senator Mason moved that Senate File 20 and all pending amendments be referred to the committee on appropriations.

Senator Irwin moved the previous question on the Mason substitute motion and the Reese motion, which prevailed.

Roll call was requested.

The question was, Shall the substitution be made?

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

Ayes, 13:

Baldwin	Elthon	Mason	Pendray
Bell of	Fisch	Miller	Reese
Des Moines	Goetsch	Mullaney	Schmidt
Calhoun	Kimberly		

Nays, 37:

Anderson	Donohue	Knudson	Shangle
Aschenbrenner	Doze	Malone	Shaw
Beardsley	Driscoll	McArthur	Stanley
Bell of Crawford	Geske	Meyer	Stevens of
Berg	Grunewald	Millhone	Decatur
Billingsley	Harrington	Moore	Stevens of
Byers	Hopkins	Nelson	Wapello
Chrystal	Hush	Parker	Valentine
Corwin	Husted	Patterson	Wilson
Dewey	Irwin	Roelofs	

Absent or not voting, none.

Rule 8 was invoked.

The motion to substitute was lost.

The question was, Shall the Reese motion prevail?

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

Ayes, 16:

Baldwin	Fisch	Knudson	Mullaney
Bell of Des Moines	Goetsch Grunewald	Mason Meyer	Pendray Reese
Calhoun	Kimberly	Miller	Schmidt
Elthon			

Nays, 33:

Anderson	Dewey	Irwin	Shaw
Aschenbrenner	Donohue	McArthur	Stanley
Beardsley	Doze	Millhone	Stevens of Decatur
Bell of Crawford	Driscoll	Moore	Stevens of Wapello
Berg	Geske	Nelson	Valentine
Billingsley	Harrington	Parker	Wilson
Byers	Hopkins	Patterson	
Chrystal	Hush	Roelofs	
Corwin	Husted	Shangle	

Absent or not voting, 1:

Malone

The motion was lost.

Senator Elthon was granted unanimous consent to change his pending amendment in line 9 to read "under title eight (8)" rather than "in title eight (8)."

The question was, Shall the Elthon amendment as amended be adopted?

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

Ayes, 18:

Baldwin	Elthon	Knudson	Pendray
Bell of Des Moines	Fisch Goetsch	Mason Meyer	Reese Shangle
Calhoun	Grunewald	Miller	Stevens of Wapello
Dewey	Kimberly	Mullaney	

Nays, 32:

Anderson	Byers	Geske	Malone
Aschenbrenner	Chrystal	Harrington	McArthur
Beardsley	Corwin	Hopkins	Millhone
Bell of Crawford	Donohue	Hush	Moore
Berg	Doze	Husted	Nelson
Billingsley	Driscoll	Irwin	Parker

Patterson
Roelofs
Schmidt

Shaw
Stanley

Stevens of
Decatur

Valentine
Wilson

Absent or not voting, none.

The motion to amend was lost.

Senator Elthon was granted unanimous consent to withdraw the remaining portion of his amendment, as filed and found on page 505 of the Senate Journal.

CALL OF THE SENATE FILED

We, the undersigned senators, request a Senate call for the consideration of Senate File 20, March 20, 1935.

I. G. CHRYSTAL.

G. E. ROELOFS.

PAUL H. ANDERSON.

H. J. GRUNEWALD.

CARL ASCHENBRENNER.

LEO ELTHON.

J. E. DOZE.

I. H. KNUDSON.

E. P. DONOHUE.

JOHN BERG.

GEORGE L. PARKER.

M. X. GESKE.

G. W. PATTERSON.

EXPLANATION OF VOTE

I desire to explain my vote on adjournment, when Senate File 20 was up for consideration on March 19th. My reason for voting to adjourn until 10:00 a. m., March 20th, was that a public hearing had been arranged for Senate File 230 and notice printed in Senate Journal of March 15th for same. As chairman of committee on county and township affairs, to which it was referred, I voted yes on same.

T. W. MULLANEY.

REPORTS OF COMMITTEES

Senator George A. Wilson submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File 64, a bill for an act to amend the law as it appears in section sixty-six hundred ten-c forty-six (6610-c46), Code, 1931, relating to street improvements, special assessments and payments by the county treasurer to the city treasurer, authorizing and directing the county treasurer of any county to pay to certain cities and towns all moneys in his hands, collected upon special assessments for which street improvement or sewer certificates were issued by said city or town, and which money has been in the treasurer's hands for four (4) years or more, uncalled for by the owner, and providing that said cities and towns shall hold said money for the owner and pay the same to the owner of any certificate upon demand, but in the event said money is not demanded for a period of ten (10) years from the date the installments become due and payable, the said moneys so uncalled for shall become the property of said city or town; and to repeal all laws or parts of laws in conflict

with this act, begs leave to report it has had the same under consideration and recommends the same do pass. GEORGE A. WILSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File 109, a bill for an act so to amend sections fifty-seven hundred twenty-eight (5728) and ten thousand eight hundred fifteen (10815), Code, 1931, as to require the judge of a police court to be an attorney at law, begs leave to report it has had the same under consideration and recommends the same do pass. GEORGE A. WILSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File 120, a bill for an act to amend section fifty-six hundred seventeen (5617), Code, 1931, relating to the severance of territory from an incorporated city or town, and providing for the procedure therefor, begs leave to report it has had the same under consideration and recommends the same do pass. .. GEORGE A. WILSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File 144, a bill for an act to repeal subdivision nine (9) of section sixty-two hundred eleven (6211), Code, 1931, and to enact a substitute therefor, relating to the tax levy for fire department maintenance fund in cities and towns, including those operating under special charter, begs leave to report it has had the same under consideration and recommends the same do pass. GEORGE A. WILSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File 191, a bill for an act to amend the law as it appears in section sixty-two hundred eleven (6211), Code, 1931, relating to the limitation upon the levying of taxes for special purpose of cities and towns and providing a limitation on the levy for police equipment purpose, begs leave to report it has had the same under consideration and recommends the same do pass. GEORGE A. WILSON, *Chairman*.

Ordered passed on file.

Senator Pendray submitted the following report:

MR. PRESIDENT: Your committee on public schools to which was referred Senate File 255, a bill for an act to amend sections forty-four hundred eighty-eight (4488) and forty-five hundred seven (4507), Code,

1931, relating to interest of the permanent school fund, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend section one (1), line 3, by striking the words "four and one-half" and inserting in lieu thereof the word "four."

Amend section two (2), line 3, by striking the word "four," and inserting in lieu thereof the words "three and one-half."

CAROLYN C. PENDRAY, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend the committee amendment to Senate File 20 by inserting after the word "shall" in line 1 of section six (6) the words: ", with the approval of two-thirds of the Senate in executive session,".

CLAUDE STANLEY.

Amend the committee amendment to Senate File 20 by striking all of section five (5) and substituting in lieu thereof the following:

"Sec. 5. Nothing in this act at the time it takes effect shall be construed to apply to persons holding licenses to practice medicine and surgery, osteopathy, or osteopathy and surgery, dentistry, pharmacy, optometry, embalming, podiatry, or chiropractic; provided, however, that before the department of health shall issue the annual renewal licenses to respective practitioners of the professions named in this section for the year 1937, and, subsequently, for each fifth year thereafter, the applicant for such renewal license shall furnish the department of health with a certificate of proficiency from the basic science board created by this act. Within the year prior to July 1, 1937, and, subsequently within the year prior to each fifth year following July 1, 1937, each person licensed in this state under the provision of title VIII and named in this section shall complete a postgraduate course of study in advanced knowledge and developments of his profession of at least three months in a school approved by the department of health, teaching the principles and practice of such profession. Furthermore, the applicant for renewal license shall submit proof of his attendance in such postgraduate course to and on forms prescribed by the basic science board, whereupon said board shall then issue a certificate of proficiency to the applicant, which he shall submit to the department of health together with his application for renewal license. Provided, further, that renewal licenses shall not be issued unless in accordance with the provisions herein stated."

CAROLYN C. PENDRAY.

Amend the committee amendment to Senate File 20, by adding at the end of section eleven (11) the following:

"For the board of basic sciences there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of twenty-five hundred (2500) dollars or so much thereof as may be necessary for the purpose of per diem and expenses in the establishment and administration of the board."

LEO ELTHON.

Amend Senate File 20, as amended, section eight (8) thereof, by inserting after the word "board" in section eight (8), line 2, the following: "and the questions submitted in the examination of the applicant, and the applicant's answers thereto."
GEORGE A. WILSON.

Amend Senate File 20 as amended by striking in line 2 in section six (6) the word "five" and the figure "5" and insert in lieu thereof the word "six" and the figure "6."

Further amend Senate File 20 as amended by striking in line 6 the word "one" and the figure "1" and insert in lieu thereof the word "two" and the figure "2."
CHRIS REESE.

Amend Senate File 163 by striking from line 5 of section five (5) thereof the word "exclusively."

Also amend Senate File 163 by striking from line 3 of section fifty-six (56) thereof the words and figures "twenty (20)", and by inserting in lieu thereof the words and figures "ten (10)."
J. BERG.

Amend Senate File 122 by adding thereto the following:

"Sec. 2. This act being deemed of immediate importance, shall be in full force and effect after its passage and publication as provided by law, in the Brooklyn Chronicle, a newspaper published at Brooklyn, Iowa, and in the Sigourney Review, a newspaper published at Sigourney, Iowa."

E. I. MASON.

Amend Senate File 217 by adding immediately following section eight (8), as section eight and one-half (8½), the following:

"Sec. 8½. Wherever the words 'budget director' appear in chapter one hundred twenty-three (123) the same shall be stricken out, and there shall be inserted in lieu and instead thereof the words 'state comptroller'."

E. I. MASON.

Senator Shangle moved that the Senate recess until 1:00 p. m.

As a substitute motion, Senator Baldwin moved that the Senate recess until 1:30 p. m.

Senator Shangle, by unanimous consent, withdrew his motion.

By unanimous consent, Senator Baldwin withdrew his substitute motion.

Senator Mason moved that the Senate recess until 3:00 p. m.

As a substitute for all pending motions, Senator Chrystal moved that the Senate adjourn until 10:00 a. m. Wednesday, and that the call of the Senate remain in force.

Senator Baldwin raised the point of order that a motion to adjourn was not debatable. The chair sustained the point.

Roll call was requested.

The question was, Shall the Senate adjourn?

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

Ayes, 26:

Aschenbrenner	Chrystal	Kimberly	Mullaney
Baldwin	Donohue	Knudson	Pendray
Bell of Crawford	Driscoll	Mason	Roelofs
Bell of	Fisch	McArthur	Schmidt
Des Moines	Geske	Meyer	Stevens of
Byers	Goetsch	Miller	Wapello
Calhoun	Grunewald	Millhone	Wilson

Nays, 23:

Anderson	Doze	Irwin	Shangle
Beardsley	Elthon	Moore	Shaw
Berg	Harrington	Nelson	Stanley
Billingsley	Hopkins	Parker	Stevens of
Corwin	Hush	Patterson	Decatur
Dewey	Husted	Reese	Valentine

Absent or not voting, 1:

Malone

Senator Harrington requested a verification of the vote. The roll call was verified and the Senate adjourned until 10:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 20, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Rev. J. G. Waterman, pastor of the Methodist Episcopal church at Dows, offered prayer.

The journal of March 19, 1935, was approved.

PETITIONS AND MEMORIALS

The following petitions favoring the basic science bill were received and filed, to be referred to the committee on public health:

Senator Byers, from residents of Linn county; Senator Nelson, from residents of Boone and Story counties.

The following petitions opposing the basic science bill were received and filed, to be referred to the committee on public health:

Senator Mason, from residents of Keokuk county; Senator Baldwin, from residents of Dubuque county; Senator Nelson, from residents of Boone county; Senator Irwin, from residents of Clinton county; Senator Hopkins, from residents of Dallas county; Senator Chrystal, from residents of Greene county.

The following petitions favoring the tax on the so-called "chain stores" doing business in the state were received and filed, to be referred to the committee on cities and towns:

Senator Driscoll, from residents of Lee county; Senator Millhone, from residents of Fremont county; Senator Dewey, from residents of Washington county; Senator Wilson, from residents of Polk county.

The following petitions were received and filed, to be referred to the designated committees:

Senator Irwin, from residents of Clinton, favoring the bill to modify present state income tax law. Committee on ways and means.

Senator Nelson, from residents of Story county, opposing Senate File 86. Committee on county and township affairs.

Senator Stevens of Wapello, from residents of Wapello county, opposing Senate File 131, and House File 219. Committee on county and township affairs.

Senator Nelson, from residents of Story county, favoring Senate File 91. Committee on state planning.

INTRODUCTION OF BILLS

Senate File 295, by committee on cities and towns, a bill for an act declaring a state and national emergency to exist affecting the service trades within the state of Iowa, declaring the necessity for ordinances of fair competition among service trades; declaring this act an emergency measure; authorizing councils of cities and towns within their respective jurisdictions to enact such ordinances providing for fair competition among those trades wherein services are rendered to the public without the sale of merchandise as such except as a mere incident to such service; providing for application to the governing body of cities and towns for the establishment of ordinances providing for fair competition, and providing a penalty for violation of provisions of ordinances so adopted.

The bill was read first and second times and placed on the calendar.

Senate File 296, by committee on cities and towns, a bill for an act to prohibit any railroad company from abandoning or changing the location of any shop or terminal in this state without the consent of the board of railroad commissioners and prescribing the procedure for securing consent therefor and providing a penalty for the violation thereof.

The bill was read first and second times and placed on the calendar.

REPORT OF JOIN COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 39.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File 39.

BILL SENT TO THE GOVERNOR

Senator Calhoun, from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 20th day of March, 1935, sent to the Governor for his approval Senate File 39.

JOHN N. CALHOUN, *Chairman.*

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the governor announcing that he had signed Senate Files 79, 82, 101, 102 and 103 on March 19, 1935.

REPORT OF COMMITTEE ON RULES ADOPTED

On motion of Senator Beardsley the report of the committee on rules, as found on page 477 of the Senate Journal, was called up for consideration.

The report was read for information.

On motion of Senator Irwin, the report was adopted.

COPIES SENATE FILE 280 ORDERED

By unanimous consent granted Senator Calhoun, it was ordered that 600 copies of Senate File 280 be printed.

CONSIDERATION OF SENATE FILE 20 RESUMED

There being a call of the Senate on file, a roll call revealed all members of the Senate present, excepting Senators Meyer and Chrystal.

President pro tempore, Harold L. Irwin, took the chair at 10:20 a. m.

Senators Meyer and Chrystal appeared in the Senate chamber and the call of the Senate was declared to be complete.

Senate File 20, a bill for an act to establish a board of examiners in the basic sciences, to provide for its organization, powers, duties and compensation, to provide for examination in the basic sciences, authorizing such board to issue a certificate of proficiency in the basic sciences, which certificate shall be a prerequisite to eligibility for examination for license to practice medicine and surgery, osteopathy, osteopathy and surgery and chiropractic or any other system or method of healing that may hereafter be legalized in the state of Iowa, to define the basic sciences, the healing arts, a license and to provide penalties for the violation of this act, was again taken up and considered.

Senator Mason moved to amend Senate File 20 as amended, as follows:

Amend Senate File 20 as amended as follows:

1. Amend Senate File 20, section two (2), by striking therefrom all of paragraph "(a)" thereof, and by substituting therefor the following:

"(a) The basic sciences shall mean the following subjects: 1—Anatomy; 2—Bacteriology; 3—Chiropractic Symptomatology; 4—Hygiene; 5—Naturopathic Diagnosis; 6—Osteopathic Therapeutics; 7—Pathology; 8—Physiological Chemistry; 9—Physiology."

2. Amend section two (2) by striking therefrom all of paragraph "(b)" thereof, and by substituting therefor the following:

"(b) Any license authorizing the licentiate to offer or undertake for pay to diagnose, treat, alleviate, operate on or prescribe for, any pain, injury, disease, deformity, weakness or physical or mental condition, is a license to practice the healing arts."

3. Amend section three (3) by striking out all of said section, and substituting for the lines so stricken the following:

"There is hereby established a board of examiners in the basic sciences consisting of seven (7) members which is authorized and directed to conduct examination of all persons who shall hereafter, except as herein provided, desire to apply for a license to practice medicine and surgery, osteopathy, osteopathy and surgery, chiropractic, dentistry, dental hygiene, nursing, optometry, Christian Science, spiritual and mental healing

or any other system or method of healing that may hereafter be legalized in this state; said examination shall cover the nine (9) following basic sciences: 1—Anatomy; 2—Bacteriology; 3—Chiropractic Symptomatology; 4—Hygiene; 5—Naturopathic Diagnosis; 6—Osteopathic Therapeutics; 7—Pathology; 8—Physiological Chemistry; 9—Physiology.”

4. Amend section four (4) by striking out all of said section and substituting for the lines so stricken the following:

“No person except those who, prior to October 1, 1935, have matriculated in good faith in some college of their chosen profession, which college has been approved by the examining board of said profession, shall hereafter be eligible for examination or be permitted to take an examination for a license to practice medicine and surgery, osteopathy, osteopathy and surgery, chiropractic, dentistry, dental hygiene, nursing, optometry, Christian Science, or any other system or method of healing that may hereafter be legalized in this state, or be granted any license, until he has presented to the licensing board empowered to issue a license, a certificate of proficiency in the basic sciences as provided in this act. This requirement shall be in addition to all other requirements now or hereafter in effect with respect to the issuance of such license or licenses. A certificate of proficiency in the basic sciences shall give the holder thereof the right to practice any branch of the healing arts now legalized or which hereafter may be legalized in this state.”

5. Amend by striking out all of section five (5) thereof, and to substitute for the lines so stricken the following:

“Nothing in this act shall be construed to apply to persons now holding licenses, or who matriculate prior to October 1, 1935, as physicians and surgeons, osteopaths, osteopaths and surgeons, chiropractors, dentists, dental hygienists, nurses, optometrists, Christian Scientists, suggestive therapeutics, or other spiritual or mental healers, or practitioners of any other system or method of healing, when this act becomes applicable; nor shall this act at any time be construed to apply to pharmacists, embalmers, podiatrists, barbers or cosmetologists practicing within the limits of their respective callings.”

6. Amend by striking out all of section six (6) thereof, and to substitute for the lines so stricken the following:

“The Governor shall appoint a board of examiners in the basic sciences hereinafter referred to as the ‘board’ consisting of seven (7) members. The superintendent of public instruction of the state of Iowa shall be ex-officio a member of said board, and shall preside as the chairman thereof. The other six (6) members shall be learned respectively in the basic sciences named herein and shall be selected as follows: Two (2) members of the faculty of the medical department of the University of Iowa, who shall be appointed for the short term of two (2) years; two (2) members of the faculty of any school of osteopathy within the state of Iowa, approved by the osteopathic examiners of Iowa, said appointment being made for a short term of four (4) years; two (2) members of the faculty of any school of chiropractic within the state of Iowa, approved by the chiropractic examiners of Iowa, said appointment being made for the short term of six (6) years. On the expiration of the term of any member the Governor shall fill the vacancy or vacancies by appointment

for a term of six (6) years; on the death, resignation or removal of any member the Governor shall fill the vacancy by appointment for the unexpired portion of the term."

7. Amend by striking out all of section seven (7) thereof, and to substitute for the lines so stricken the following:

"The board shall meet and organize, as soon as practicable, after appointment. It shall have power to elect a secretary from its membership, to adopt a seal and to make such rules, in addition to the rules herein provided for, and not inconsistent with this act, as it deems expedient to carry into effect this act. The board shall have no assistants, employees or others to aid them in carrying out the provisions of this act."

8. Amend by striking out all of section eight (8) thereof, and to substitute for the lines so stricken the following:

"The secretary of the board shall keep a true and correct record of the proceedings of said board and upon the granting of a certificate of proficiency in the basic sciences shall, at the time of granting said certificate, certify to the state department of health the name, address and number of the licentiate's certificate. The board shall furnish the secretary thereof with suitable office equipment, to be paid for out of the board's funds, to keep safely and securely all records, files and data of such board."

9. Amend by striking out all of section nine (9) thereof, and to substitute for the lines so stricken the following:

"The board of examiners in the basic sciences shall furnish all articles and supplies required for the public use and necessary to enable said board to perform the duties imposed upon it by law out of its own fees."

10. Amend by striking out all of section ten (10) thereof, and to substitute for the lines so stricken the following:

"The executive council shall furnish the board with a suitable room in which to conduct the examinations held by said board, at the seat of government."

11. Amend by striking out all of section eleven (11) thereof, and to substitute for lines so stricken the following:

"Each member of the board shall, in addition to necessary traveling and hotel expenses, not exceeding five (5) dollars per day while in actual attendance at examination and board meetings, receive ten (10) dollars per day for each day so actually engaged in the discharge of his duties. The compensation and expenses of the members, and all other expenses of the board shall be paid out of the fees received from applicants, and not otherwise. Only members of the board shall prepare examination questions and grade the examination papers of applicants."

12. Amend by striking out all of section twelve (12) thereof, and to substitute for the lines so stricken the following:

"The fee for examination by the board shall be ten (10) dollars, the fee for the issuing of a certificate by authority of reciprocity as provided herein, shall be ten (10) dollars, but no applicant shall be charged an additional fee for any re-examination taken within a year after a previous examination; or an applicant having passed in three subjects or less, at his option, may have his application fee returned to him. All fees shall be paid to the secretary of the board by the applicant at the time of filing

application. The secretary shall pay all money received as fees into the state treasurer to be placed in a special fund to the credit of the board. The state treasurer shall pay out of such fund the compensation and expenses of the members, and other expenses incurred by the board, on vouchers signed by the president and secretary of the board. No legislative appropriation, or any other funds, shall be provided for the maintenance, support, or expenses of the board, but all expenses and expenditures of the board, of every kind and nature, must be paid from the fees received from successful applicants."

13. Amend by adding at the end of section thirteen (13) the following:

"Such examination for a certificate of proficiency in the basic sciences shall be taken prior to the time that the applicant matriculates for his professional training."

14. Amend by striking out all of section fifteen (15) thereof, and to substitute for the lines so stricken the following:

"The board shall give public notice of the time and place of all examinations to be held under this act, and such notices shall be placed in national journals of all branches of the healing arts, in the form of paid advertisements, at least two (2) months prior to the date of any such examination, to allow all candidates to comply with the provisions of this act."

15. Amend by striking out all of section sixteen (16) thereof, and to substitute for the lines so stricken the following:

"The board shall hold regular sessions for the purpose of giving examinations not to exceed four (4) in any one (1) year. All such examinations are to be held at Des Moines. The examinations shall cover the subjects named in this act as the basic sciences, but only such questions shall be included in the examinations the answers to which are strictly applicable to all branches of the healing arts, now legalized or that may hereafter be legalized in this state. The board shall establish rules for conducting all examinations, grading of examination papers and passing upon the qualifications of applicants as shown by such examinations. All examinations shall be written. An applicant to pass the examination must obtain a grade of not less than seventy (70) per cent in any one (1) subject and a total average of seventy-five (75) per cent in all subjects. At any subsequent examination, after the first, that an applicant has reason to believe that the board has graded his papers unfairly, he may apply to any district court within the state, asking that a board of review be appointed to pass on the examination grades given him by the board, and the decision of such board of review shall be binding both on the applicant and the board of examiners in the basic sciences. Such board of review shall consist of five (5) members, appointed by the court, from a list of not less than ten (10) practitioners furnished to the courts by the state organization of the applicant's branch of the healing arts."

16. Amend by striking out the word "Three" where the same appears at the beginning of section seventeen (17) thereof, and by inserting in lieu thereof the word and figure "Five (5)."

17. Amend by striking out all of section twenty (20) thereof, and to substitute for the lines so stricken the following:

"The board shall waive the examination provided for by this act, and

shall accept in lieu of such examination, without discrimination, proof evidenced by certificate of licensure that applicant is authorized to practice a branch of the healing arts, now recognized in Iowa or that may hereafter be recognized, issued by any examining or licensing board in any such branch of the healing arts, of any state, territory, or other jurisdiction under the United States, or of any foreign country, giving an examination in anatomy, bacteriology, chemistry, hygiene, pathology or physiology, or a majority of those subjects, and issue to such applicant a certificate of proficiency in the basic sciences as provided for in section four (4) of this act."

E. I. MASON.

Senator Wilson was called to the chair at 10:55 a. m.

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 7:

Elthon	Mason	Pendray	Shangle
Knudson	Meyer	Reese	

Nays, 43:

Anderson	Corwin	Husted	Patterson
Aschenbrenner	Dewey	Irwin	Roelofs
Baldwin	Donohue	Kimberly	Schmidt
Beardsley	Doze	Malone	Shaw
Bell of Crawford	Driscoll	McArthur	Stanley
Bell of	Fisch	Miller	Stevens of
Des Moines	Geske	Millhone	Decatur
Berg	Goetsch	Moore	Stevens of
Billingsley	Grunewald	Mullaney	Wapello
Byers	Harrington	Nelson	Valentine
Calhoun	Hopkins	Parker	Wilson
Chrystal	Hush		

Absent or not voting, none.

Rule 8 was invoked.

The motion to amend was lost.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 5, a bill for an act relating to the repeal of the poll tax.

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

House File 44, a bill for an act relative to costs of contesting election of county officers.

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

House File 63, a bill for an act relating to registration of voters.

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

House File 93, a bill for an act to make an appropriation for expenses incurred in election contest of Miller vs. Zeigler.

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

House File 173, a bill for an act relating to ordinances by cities and towns to provide fair competition among service trades in Iowa, where services are rendered to the public without sale or merchandise, and penalty for violation.

VIRGIL LEKIN, *Chief Clerk.*

Senator Mason offered the following amendment and moved its adoption:

Amend Senate File 20 as amended, by adding at the end of section four (4) thereof, the following:

"Provided, that all schools within the state of Iowa whose graduates must comply with the provisions of this act shall receive the same amount of the state appropriations, without discrimination.

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 3:

Mason	Pendray	Shangle
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Nays, 41:

Anderson	Doze	Knudson	Reese
Aschenbrenner	Driscoll	Malone	Roelofs
Bell of Crawford	Fisch	McArthur	Schmidt
Berg	Geske	Meyer	Shaw
Billingsley	Goetsch	Miller	Stevens of
Byers	Grunewald	Millhone	Decatur
Calhoun	Harrington	Moore	Stevens of
Chrystal	Hopkins	Mullaney	Wapello
Corwin	Hush	Nelson	Valentine
Dewey	Husted	Parker	Wilson
Donohue	Irwin	Patterson	

Absent or not voting, 6:

Baldwin	Bell of	Elthon	Stanley
Beardsley	Des Moines	Kimberly	

The motion to amend was lost.

Senator Mason was granted unanimous consent to withdraw his amendment filed to his own amendment to the committee amendment, as found on page 504 of the Senate Journal.

Senator Harrington moved the previous question on all pending amendments as well as the main bill.

The chair called for a division of the vote and announced the motion was lost.

Senator Shangle offered the following amendment and moved its adoption:

Amend Senate File 20 as amended, by striking from section four (4) the period in line 9 thereof, and by substituting therefor a semicolon and adding thereto the following:

"provided, however, the board shall waive the examination provided for herein as to any particular basic science and shall accept in lieu of such examination proof that the applicant has been examined in the same basic sciences as a part of his professional examination required to be taken by him as a condition precedent to his being licensed under title VIII, Code of Iowa, 1931."

The motion to amend was lost.

Senator Stanley offered the following amendment and moved its adoption:

Amend Senate File 20 as amended, section fourteen (14), by striking the words "documents and" in line 5.

Further amend Senate File 20, as amended, section fourteen (14), by adding after the word "applicant" in line 8, the following: "Provided, that said application shall not contain questions to be answered by said applicant which will disclose the professional school he may have attended or what system of treating the sick he intends to pursue."

Further amend Senate File 20, as amended, section sixteen (16), by striking the words following the word "year" in line 2 to and including the word "pursue" in line 4.

Further amend Senate File 20, as amended, section sixteen (16), by striking the words "an adequate" in line 8, and inserting in lieu thereof the words "a reasonable."

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 46:

Aschenbrenner	Billingsley	Driscoll	Hush
Baldwin	Calhoun	Elthon	Husted
Beardsley	Chrystal	Fisch	Irwin
Bell of Crawford	Corwin	Geske	Kimberly
Bell of	Dewey	Goetsch	Knudson
Des Moines	Donohue	Grunewald	Malone
Berg	Doze	Hopkins	Mason

Meyer	Nelson	Roelofs	Stevens of
Miller	Parker	Schmidt	Decatur
Millhone	Patterson	Shangle	Stevens of
Moore	Pendray	Shaw	Wapello
Mullaney	Reese	Stanley	Valentine
			Wilson

Nays, 2:

Anderson Harrington

Absent or not voting, 2:

Byers McArthur

The motion prevailed and the amendment was adopted.

Senator Husted offered the following amendment and moved its adoption:

Amend Senate File 20, as amended, section five (5), by striking the words and figures, "February 1, 1935," in line 8, and inserting in lieu thereof the following: "July 1, 1936,".

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 28:

Aschenbrenner	Dewey	Mason	Schmidt
Bell of Crawford	Driscoll	McArthur	Shangle
Bell of	Elthon	Meyer	Stevens of
Des Moines	Husted	Miller	Decatur
Berg	Irwin	Mullaney	Stevens of
Calhoun	Kimberly	Nelson	Wapello
Chrystal	Knudson	Pendray	Wilson
Corwin	Malone	Reese	

Nays, 18:

Anderson	Geske	Millhone	Roelofs
Billingsley	Grunewald	Moore	Shaw
Byers	Harrington	Parker	Stanley
Donohue	Hopkins	Patterson	Valentine
Fisch	Hush		

Absent or not voting, 4:

Baldwin Beardsley Doze Goetsch

The motion prevailed and the amendment was adopted.

Senator Pendray offered the following amendment and moved its adoption:

Amend Senate File 20 as amended, by striking all of section five (5) and substituting in lieu thereof the following:

"Sec. 5. Nothing in this act at the time it takes effect shall be construed to apply to persons holding licenses to practice medicine and

surgery, osteopathy, or osteopathy and surgery, dentistry, pharmacy, optometry, embalming, podiatry, or chiropractic; provided, however, that before the department of health shall issue the annual renewal licenses to respective practitioners of the professions named in this section for the year 1937, and, subsequently, for each fifth year thereafter, the applicant for such renewal license shall furnish the department of health with a certificate of proficiency from the basic science board created by this act. Within the year prior to July 1, 1937, and, subsequently within the year prior to each fifth year following July 1, 1937, each person licensed in this state under the provision of title VIII and named in this section shall complete a postgraduate course of study in advanced knowledge and developments of his profession of at least three months in a school approved by the department of health, teaching the principles and practice of such profession. Furthermore, the applicant for renewal license shall submit proof of his attendance in such postgraduate course to and on forms prescribed by the basic science board, whereupon said board shall then issue a certificate of proficiency to the applicant, which he shall submit to the department of health together with his application for renewal license. Provided, further, that renewal licenses shall not be issued unless in accordance with the provisions herein stated."

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 14:

Calhoun	Knudson	Mullaney	Stevens of
Doze	Mason	Pendray	Decatur
Elthon	McArthur	Reese	Stevens of
Fisch	Miller	Shangle	Wapello

Nays, 33:

Anderson	Dewey	Hush	Parker
Aschenbrenner	Donohue	Irwin	Patterson
Beardsley	Driscoll	Kimberly	Roelofs
Bell of Crawford	Geske	Malone	Schmidt
Berg	Goetsch	Meyer	Shaw
Billingsley	Grunewald	Millhone	Stanley
Byers	Harrington	Moore	Valentine
Chrystal	Hopkins	Nelson	Wilson
Corwin			

Absent or not voting, 3:

Baldwin	Bell of	Husted
	Des Moines	

The motion to amend was lost.

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

AFTERNOON SESSION

Having recessed until 1:30 p. m., the Senate reconvened, President N. G. Kraschel presiding.

Senator Byers was granted unanimous consent to return to introduction of bills.

INTRODUCTION OF BILLS

Senate File 297, by committee on judiciary No. 1, a bill for an act to provide for the abandonment and dissolution of drainage or levee districts in certain cases; to provide procedure for same; to provide for appeal from order of board for same and to provide for payment of expense of same and refund of any balance; to provide for sale of property and distribution of proceeds and to provide for abandonment of rights-of-way.

The bill was read first and second times and placed on the calendar.

Senate File 298, by committee on judiciary No. 1, a bill for an act to provide for the mortgaging by an executor or administrator of real estate of decedent, a part or all of which is exempt as a homestead for the purpose of extending or refinancing liens thereon and paying claims and charges against the estate and paying commissions or other expenses of securing such loans and to provide the procedure thereof, and to limit the time within which the validity of such mortgage may be questioned.

The bill was read first and second times and placed on the calendar.

HOUSE MESSAGES CONSIDERED

House File 5, a bill for an act to amend section seventy-one hundred seventy-one (7171), Code, 1931, relating to the repeal of the poll tax levied on each male resident over twenty-one (21) years of age.

The bill was read first and second times and referred to committee on ways and means.

House File 44, a bill for an act to amend section ten hundred forty-three (1043), Code, 1931, relative to costs of contesting election of county officers.

The bill was read first and second times and referred to committee on elections and contests.

House File 63, a bill for an act to amend section six hundred seventy-six (676), Code, 1931, relating to registration of voters.

The bill was read first and second times and referred to committee on elections and contests.

House File 93, a bill for an act to make an appropriation for the expenses incurred in the election contest of Miller vs. Zeigler.

The bill was read first and second times and referred to committee on appropriations.

House File 173, a bill for an act declaring a state and national emergency to exist affecting the service trades within the state of Iowa, declaring the necessity for ordinances providing for fair competition among service trades; declaring this act an emergency measure; authorizing councils of cities, including special charter cities, and towns within their respective jurisdictions to enact or repeal such ordinances providing for fair competition among those trades wherein services are rendered to the public without the sale of merchandise as such except as a mere incident to such service; providing for application to the governing body of cities, including special charter cities, and towns for the establishment of ordinances providing for fair competition, and providing a penalty for violation of provisions of ordinances so adopted.

The bill was read first and second times and referred to committee on cities and towns.

COPIES SENATE FILE 166 ORDERED

By unanimous consent granted Senator Nelson, it was ordered that 600 copies of Senate File 166 be printed.

CONSIDERATION OF SENATE FILE 20 RESUMED

Roll call revealed all members of the Senate present, excepting Senators Aschenbrenner, Harrington, Malone and Reese.

The Senators named appeared in the Senate chamber and the call of the Senate was declared to be complete.

Senator Elthon offered the following amendment and moved its adoption:

Amend Senate File 20 as amended, by adding at the end of section eleven (11) the following:

"For the board of basic sciences there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of twenty-five hundred (2500) dollars or so much thereof as may be necessary for the purpose of per diem and expenses in the establishment and administration of the board."

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 8:

Calhoun	Knudson	Miller	Pendray
Elthon	Mason	Mullaney	Reese

Nays, 42:

Anderson	Dewey	Husted	Roelofs
Aschenbrenner	Donohue	Irwin	Schmidt
Baldwin	Doze	Kimberly	Shangle
Beardsley	Driscoll	Malone	Shaw
Bell of Crawford	Fisch	McArthur	Stanley
Bell of	Geske	Meyer	Stevens of
Des Moines	Goetsch	Millhone	Decatur
Berg	Grunewald	Moore	Stevens of
Billingsley	Harrington	Nelson	Wapello
Byers	Hopkins	Parker	Valentine
Chrystal	Hush	Patterson	Wilson
Corwin			

Absent or not voting, none.

Rule 8 was invoked.

The motion to amend was lost.

Senator Stanley offered the following amendment and moved its adoption:

Amend Senate File 20, as amended, by inserting after the word "shall" in line 1 of section six (6) the words: ", with the approval of two-thirds of the Senate in executive session,".

Senator Stanley was granted unanimous consent to change his pending amendment to read:

"Amend Senate File 20, as amended, by inserting after the word 'shall' in line 1, after the word 'shall' in line 8, and after the word 'shall' in line 10, of section six (6) the words: ', with the approval of two-thirds of the Senate in executive session.'"

Senator Wilson was called to the chair at 2:05 p. m.

The motion prevailed and the amendment was adopted.

Senator Reese offered the following amendment and moved its adoption:

Amend Senate File 20, as amended, by striking in line 2 in section six (6) the word "five" and the figure "5" and insert in lieu thereof the word "six" and the figure "6."

Further amend Senate File 20 as amended, by striking in line 6 the word "one" and the figure "1" and insert in lieu thereof the word "two" and the figure "2."

The motion prevailed and the amendment was adopted.

Senator Elthon offered the following amendment and moved its adoption:

Amend Senate File 20, as amended, by adding at the end of section three (3) thereof, the following:

"All the examination questions shall be such that the answers thereto will be applicable to all branches of the healing arts legalized in Iowa."

By unanimous consent Senator Elthon withdrew the amendment.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 20, as amended, section five (5) by striking the words and figures "July 1, 1936," and by inserting in lieu thereof the following: "September 1, 1935."

President pro tempore Harold L. Irwin took the chair at 2:20 p. m.

Senator Shangle raised the point of order that the matter contained in the Donohue amendment had been previously voted on by the Senate during the day.

The chair ruled that the subject under discussion was the time; the date of February 1, 1935 had been acted upon previously during the day, and that that date could not be brought up again but that the Donohue amendment did not relate to this date, and that the point was not well taken.

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 24:

Anderson	Dewey	Hush	Stanley
Aschenbrenner	Donohue	Millhone	Stevens of
Beardsley	Driscoll	Moore	Decatur
Billingsley	Geske	Patterson	Stevens of
Byers	Grunewald	Roelofs	Wapello
Chrystal	Harrington	Shaw	Valentine
Corwin	Hopkins		

Nays, 26:

Baldwin	Elthon	Malone	Parker
Bell of Crawford	Fisch	Mason	Pendray
Bell of	Goetsch	McArthur	Reese
Des Moines	Husted	Meyer	Schmidt
Berg	Irwin	Miller	Shangle
Calhoun	Kimberly	Mullaney	Wilson
Doze	Knudson	Nelson	

Absent or not voting, none.

Rule 8 was invoked.

The motion to amend was lost.

Senator Wilson offered the following amendment and moved its adoption:

Amend Senate File 20 as amended, section eight (8) thereof, by inserting after the word "board" in section eight (8), line 2, the following: "and the questions submitted in the examination of the applicant, and the applicant's answers thereto."

The motion prevailed and the amendment was adopted.

Senator Wilson was called to the chair at 2:35 p. m.

President N. G. Kraschel returned to the chair at 3:00 p. m.

Senator Harrington moved the previous question on the main bill, which motion prevailed.

Senator Roelofs offered the following amendment and moved its adoption:

Amend the title to Senate File 20 by striking the period at the end thereof and adding the words "to provide that the provisions of this act shall be severable."

Further amend by renumbering the remaining sections, and affix amendments thereto.

The motion prevailed and the amendment was adopted.

Senator Roelofs moved that the bill be read a third time now and the bill as amended be placed on its passage, which motion prevailed, and the bill as amended was read a third time.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 41:

Anderson	Donohue	Kimberly	Roelofs
Aschenbrenner	Driscoll	Knudson	Schmidt
Baldwin	Fisch	Malone	Shaw
Beardsley	Geske	McArthur	Stanley
Bell of Crawford	Goetsch	Meyer	Stevens of
Berg	Grunewald	Millhone	Decatur
Billingsley	Harrington	Moore	Stevens of
Byers	Hopkins	Mullaney	Wapello
Chrystal	Hush	Nelson	Valentine
Corwin	Husted	Parker	Wilson
Dewey	Irwin	Patterson	

Nays, 7:

Calhoun	Mason	Pendray	Shangle
Elthon	Miller	Reese	

Absent or not voting, 2:

Bell of	Doze
Des Moines	

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

Senator Harrington moved that the vote by which Senate File 20 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Byers was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 299, by committee on judiciary No. 1, a bill for an act providing that the state of Iowa may be made a party in actions involving the title to or partition of real estate, the foreclosure of mortgages and liens upon real estate, and the determination of the priority of liens against real estate; and providing the method of service of notice and fixing the status of the state as a party.

The bill was read first and second times and placed on the calendar.

COPIES SENATE FILES ORDERED

By unanimous consent granted Senator Roelofs, it was ordered.

that 600 copies of Senate File 20, as it finally passed the Senate, be printed.

By unanimous consent granted Senator Geske, it was ordered that 600 copies of Senate Files 198 and 202 be printed.

ACTION ON HOUSE FILE 53 DEFERRED

By unanimous consent granted Senator Wilson, it was ordered that the rules be suspended and consideration of House File 53 be deferred.

CALL OF SENATE FILED

We, the undersigned members of the Senate, request a call of the Senate upon Senate File 78 relating to proposed exemptions under the net income tax and taxation; and upon all other matters pertaining thereto.

H. L. IRWIN.
GEO. A. WILSON.
M. MOORE.
T. F. DRISCOLL.
H. C. BALDWIN.
JAS. M. BELL.
L. H. MEYER.

T. W. MULLANEY.
FRANK C. BYERS.
ANDREW BELL.
A. CLAIRE DEWEY.
GEO. M. HOPKINS.
ORA E. HUSTED.
PAUL SCHMIDT.

REPORTS OF COMMITTEES

Senator Valentine submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File 26, a bill for an act to amend section five thousand twenty-nine (5029), Code, 1931, relating to speed standard of motor vehicles operated upon the highways, begs leave to report it has had the same under consideration and recommends the same be amended as follows: and when so amended the bill do pass:

Amend Senate File 26 by striking all after the enacting clause and inserting in lieu thereof the following:

“Section 1. That section five thousand twenty-nine (5029), Code, 1931, is hereby amended by striking the first ten (10) lines thereof and by inserting in lieu thereof the following:

‘Speed restrictions. No person shall drive a motor vehicle on a highway at a speed greater than is reasonable and prudent under the conditions then existing.

Where no special hazard exists the following speeds shall be lawful, except as hereinafter provided, but any speed in excess of said limits shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful:

1. Fifteen miles per hour in any business district;
2. Twenty-five miles per hour in any residence district;
3. Fifty miles per hour under other conditions.

The fact that the speed of a motor vehicle is lower than the foregoing prima facie limits shall not relieve the driver from the duty to decrease speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, or when special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions, and speed shall be decreased as may be necessary to avoid colliding with any person, vehicle, or other conveyance on or entering the highway in compliance with legal requirements and the duty of all persons to use due care'." JOHN K. VALENTINE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File 179, a bill for an act to amend chapter eighty-three (83), acts of the Forty-fifth General Assembly, by providing civil liability as against operator and owner of motor trucks and combinations thereof and eliminating the provisions of section five thousand twenty-nine (5029), Code, 1931, as a defense thereto, begs leave to report it has had the same under consideration and recommends the same do pass.

JOHN K. VALENTINE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on motor vehicles to which was referred House File 151, a bill for an act to amend sections thirty-two hundred forty-seven (3247) and thirty-two hundred fifty (3250), Code, 1931, relating to the inspection of the weight of commodities offered for sale and transferring certain duties from the department of agriculture to the motor vehicle department and providing a penalty for the violation thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

JOHN K. VALENTINE, *Chairman*.

Ordered passed on file.

Senator Byers submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File 12, a bill for an act to repeal sections ten thousand nine hundred twenty-nine (10929) and ten thousand nine hundred thirty-seven (10937) and to enact substitutes therefor, to amend section ten thousand nine hundred thirty-four-b seven (10934-b7), and to repeal section ten thousand nine hundred thirty-six (10936), all of the Code, 1931, relating to the revocation or suspension of the license of attorneys, etc., begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File 61, a bill for an act to provide for the joining of parties in actions on questions of common or general interest to the residents, property owners and tax payers of a municipality, and to provide for the procedure therefor, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Strike section one (1) of said bill and substitute in lieu thereof the following:

"Section 1. When the question is one of common or general interest to the residents, and/or property owners, and/or tax payers of a municipality, and one or more of such interested parties has brought a suit against the municipality and/or governing body thereof, to compel the municipality or the governing body thereof to do or perform some thing or duty, or to refrain from doing or performing some thing or duty, all residents, property owners, or tax payers of said municipality shall be brought into said suit as parties therein before the final determination thereof.

"Sec. 2. Any one or more of such residents, property owners or tax payers of such municipality who were not parties to the original suit may for themselves and all other such interested parties join as plaintiffs in such suit at any time before appearance day by filing their petition in said suit.

"Sec. 3. When such suit has been brought by less than all such interested parties, the defendant may by way of cross-petition require all such interested parties to be brought into said suit as parties plaintiff in said action."

Further amend said bill by renumbering the remaining sections.

Also amend the title by adding after the word "interest" in the second line the following: "to the residents, property owners and tax payers of a municipality."

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File 81, a bill for an act authorizing municipalities, political subdivisions and taxing districts, including drainage, pumping plant and/or levee districts, to proceed under the provisions of federal bankruptcy laws enacted for the relief of such municipalities, political subdivisions and taxing districts, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill be reported out without recommendation:

Amend the title to Senate File 81 by striking from lines 1 and 2 the words "municipalities, political subdivisions and taxing districts, including." Also by striking from lines 5 and 6 of the title the words "municipalities, political subdivisions and."

Amend section one (1) of Senate File 81 by striking from lines 1 and 2 the following: "municipalities, political subdivisions and taxing districts including;" and by striking from lines 6, 7 and 8 the following: "or cities in which such political subdivisions or taxing districts are included, including drainage, pumping plant and/or levee districts,;" and by striking from lines 18 and 19 the following: "municipalities, political subdivisions and taxing districts, including;" and by striking from lines 22 and 23 the following: "municipalities, political subdivisions and taxing districts, including."

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File 91, a bill for an act to repeal sections fifty-four hundred eighty-three (5483), fifty-four hundred eighty-six (5486), fifty-four hundred eighty-eight (5488), fifty-four hundred eighty-nine (5489), fifty-four hundred ninety (5490); to amend sections fifty-one hundred thirty-three (5133), etc., begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File 125, a bill for an act to restore the corporate status of the Akron Domestic Local Building and Loan Association of Akron, Iowa, and to legalize the corporate acts of the directors and officers thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File 176, a bill for an act relating to the duration of judgments rendered solely on promissory obligations secured by mortgage or deed of trust of real estate, without foreclosure against said security, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File 213, a bill for an act to legalize renewal of the corporate status of the Cumberland Telephone company of Cumberland, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File 227, a bill for an act to amend the law relating to corporations for pecuniary profit as it now appears in section eighty-three hundred sixty-four (8364), Code, 1931, lengthening by three years the corporate life of all such corporations whose charter would otherwise expire during the year 1935, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend section one (1) of Senate File 227 by striking from lines 13 and 17 the word "three (3)" and by substituting in each of said lines for the word so stricken the following: "two (2)."

Amend Senate File 227 by striking therefrom section two (2) thereof and by substituting for the section so stricken the following:

"Sec. 2. That the law as it appears in section eighty-five hundred eighty-three (8583), Code, 1931, be and the same is hereby amended by changing the period at the end thereof to a semicolon and by adding thereto, immediately following such semicolon, the following: 'provided, however, that the corporate life of any such corporation whose charter expires during the calendar year 1935 or 1936 shall hereby be extended for a period of two (2) years from its respective expiration date, and no corporate charter of any such corporation shall be renewed under and by virtue of, or in accordance with, the provisions of section eighty-five hundred ninety-two (8592), Code, 1931, for a period of two (2) years following such expiration date.'

"Sec. 3. In no event shall this act be in force after December 31, 1938.

"Sec. 4. Renumber section three (3) of the bill as section four (4)."

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File 39, a bill for an act to legalize the corporate acts and proceedings of the Hawkeye Realty company of Ames, Iowa, and to provide for the renewal and extension of the period of corporate existence of said Hawkeye Realty company of Ames, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File 52, a bill for an act to legalize the corporate acts and proceedings of Ringsted Telephone company, Ringsted, Iowa, and to provide for the renewal and extension of the period of corporate existence and the adoption of renewal, amended and substituted articles of incorporation of said Ringsted Telephone company, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File 112, a bill for an act to authorize and direct the printing of the skeleton card digest of the current opinions of the supreme court, now being maintained in the office of the code editor, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend section three (3) of Senate File 131 by inserting after the comma following the word "board" in the fifth line the following: "when such certificate is accompanied by a petition asking for the appropriation, signed by at least fifty (50) per cent of the resident farmers of said county living outside the corporate limits of the cities and towns of said county,".

CLAUDE STANLEY.

Amend Senate File 78 by adding thereto as section six (6) the following:

"Sec. 6. That section eight (8) of chapter eighty-two (82) of the acts of the Forty-fifth General Assembly, Extra Session, is hereby amended by striking lines 17 and 18."

Also amend section ten (10) of said act by striking lines 14 to 17 inclusive, and renumber the remaining sections.

CLAUDE STANLEY.

Amend Senate File 78 by striking from line 4 of section four (4) the word "annual."

CLAUDE STANLEY.

Amend Senate File 199 by changing the comma to a period after the word "Iowa" in line 6, section two (2), and strike the remainder of the section.

WM. S. BEARDSLEY.

Amend Senate File 31 by striking all of section one (1) of the printed bill, and inserting in lieu thereof the following:

"Section 1. Section ninety-eight hundred eighty-five (9885), Code, 1931, is amended by adding thereto the following:

1. Add after the word 'commerce' in line 6 the following: 'or in the furnishing of telephone service.'

2. Add after the word 'commodity' at the end of line 10 the following: 'or telephone service.'

3. Add after the word 'commodity' in line 12 the following: 'or telephone service.'

4. Add after the word 'allowance' in line 16 the following: 'in the case of telephone service for the difference in the cost of furnishing service in different localities and in the case of commodities.'"

J. E. DOZE.

On motion of Senator Wilson, the Senate adjourned until 10.00 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 21, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Dr. William C. Cleworth, pastor of the M. E. Church at Hampton.

The Journal of March 20, 1935, was approved.

PETITIONS AND MEMORIALS

The following petitions favoring the tax on the so-called "chain stores" doing business in the state were received and filed, to be referred to the committee on cities and towns:

Senator Anderson, from residents of Webster county; Senator Grunewald, from residents of Benton county.

The following petitions opposing the tax on the so-called "chain stores" doing business in the state were received and filed, to be referred to the committee on cities and towns:

Senator Chrystal, from residents of Carroll county; Senator Wilson, from residents of Polk county.

The following petitions were received and filed, to be referred to the designated committees:

Senator Wilson, from residents of Polk county, favoring Senate File 78. Committee on ways and means.

Senator Chrystal, from residents of Greene county, favoring House File 253. Committee on ways and means.

Senator Wilson, from residents of Polk county, favoring Senate File 127. Committee on labor.

Senator Elthon, from residents of Winnebago county, opposing the barber bill. Committee on state planning.

COPIES SENATE JOINT RESOLUTION 11 ORDERED

By unanimous consent granted Senator Baldwin, it was ordered that 600 copies of Senate Joint Resolution 11 be printed.

SENATE CONCURRENT RESOLUTION 16 ADOPTED

By unanimous consent granted Senator Stanley, Senate Concurrent Resolution 16, as found on page 528 of the Senate Journal, was called up for consideration.

The concurrent resolution was read for information.

On motion of Senator Stanley, Senate Concurrent Resolution 16 was adopted.

THIRD READING OF BILLS

There being a call of the Senate on file, roll call revealed all members of the Senate present, and the call was declared to be complete.

Senate File 78, a bill for an act to amend chapter eighty-two (82) of the acts of the Forty-fifth General Assembly, Extra Session, relating to taxation, was taken up and considered.

The bill was read for information.

Senator Stanley offered the following amendment and moved its adoption:

Amend Senate File 78 by striking from line 4 of section four (4) the word "annual."

The motion prevailed and the amendment was adopted.

Senator Wilson was called to the chair at 10:30 a. m.

By unanimous consent, Senator Stanley withdrew his remaining amendment, as filed and found on page 569 of the Senate Journal.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 78, section four (4), line 4, by striking the word "shall" and inserting in lieu thereof the word "may."

The motion prevailed and the amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 78, section four (4), line 4, by inserting after the figure "1" the words: "when the tax due the state is more than twenty (20) dollars" and by changing the first word in line 4 from "The" to "the."

The motion prevailed and the amendment was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File 66, a bill for an act relating to the amount of bond to be furnished by treasurers of state educational institutions.

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

Senate File 72, a bill for an act relating to the loaning of funds under control of the Iowa state board of education.

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

Senate File 150, a bill for an act relating to taxes and the collection thereof.

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

House File 27, a bill for an act relating to the "desecration of the Sabbath."

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

House File 60, a bill for an act prohibiting direct or indirect abandonment of railway stations without an authorized order.

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

House File 92, a bill for an act relating to the term "person" in actions against nonresidents operating motor vehicles in this state.

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

House File 190, a bill for an act pertaining to search warrants, in order to provide a uniform procedure, etc.

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

House File 191, a bill for an act relating to the jurisdiction in civil matters of the municipal court.

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

House File 193, a bill for an act providing for the filing of informations by a county attorney in the municipal court.

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

House File 197, a bill for an act relating to mortgaging of real estate by an executor, administrator, etc.

VIRGIL LEKIN, *Chief Clerk.*

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

AFTERNOON SESSION

Having recessed until 1:30 p. m., the Senate reconvened, President N. G. Kraschel presiding.

Roll call revealed all members of the Senate present, excepting Senator Anderson.

HOUSE MESSAGES CONSIDERED

House File 27, a bill for an act to amend chapter five hundred ninety-six (596) of the Code, 1931, relating to the "desecration of the Sabbath."

The bill was read first and second times and referred to committee on board of control and public welfare.

House File 60, a bill for an act to prohibit the direct or indirect abandonment of railway stations without an authorizing order of the board of railroad commissioners and to fix and determine the procedure before said board in said matter.

The bill was read first and second times and referred to committee on railroads and aeronautics.

House File 92, a bill for an act to amend section fifty hundred seventy-nine-d twelve (5079-d12), Code, 1931, relating to the term "person" in actions against nonresidents operating motor vehicles in this state.

The bill was read first and second times and referred to committee on motor vehicles.

House File 190, a bill for an act to define the term "search warrant," to declare the conditions under which search warrants may issue, to amend, revise, and codify various statutes pertaining to search warrants in order to provide a uniform procedure governing search warrant proceedings, and to this end to repeal chapter six hundred seventeen (617) of the Code, and to enact a substitute therefor; also to amend sections two thousand ten (2010), thirty-one hundred fifty-nine (3159), and thirteen thousand two hundred three (13203) of said Code; also to repeal the following chapter and sections of said Code, as amended, to wit:

1. Sections fifteen hundred seventy-eight (1578) to fifteen hundred eighty-one (1581), inclusive.
2. Section thirty-one hundred sixty (3160).
3. Chapter ninety-six (96).
4. Sections thirteen thousand two hundred (13200), thirteen thousand two hundred one (13201), and sections thirteen thousand two hundred four (13204) to thirteen thousand two hundred nine (13209), inclusive.
5. Sections thirteen thousand two hundred eleven (13211) to thirteen thousand two hundred fifteen (13215), inclusive.

The bill was read first and second times and referred to committee on judiciary No. 1.

House File 191, a bill for an act to amend section ten thousand six hundred fifty-five (10655), Code, 1931, relating to the jurisdiction in civil matters of the municipal court.

The bill was read first and second times and referred to committee on judiciary No. 1.

House File 193, a bill for an act to amend section thirteen thousand six hundred forty-five (13645), Code, 1931, to provide for the filing of informations by a county attorney in the municipal court.

The bill was read first and second times and referred to committee on judiciary No. 1.

House File 197, a bill for an act relating to mortgaging of real estate by an executor, administrator, guardian, trustee, or other person in a fiduciary capacity; to provide for the purchase by any such fiduciary, of stock in any association or corporation created or which may be created by authority of the United States and as an instrumentality of the United States, when such purchase is necessary or required as an incident or condition of obtaining from or through any such association or corporation, a real estate mortgage loan on land belonging to the estate of a deceased person, minor, or other incompetent, represented by such fiduciary, and to provide for the payment of such stock from the proceeds of said loan.

The bill was read first and second times and referred to committee on judiciary No. 1.

HOUSE FILE 53 PLACED ON CALENDAR

House File 53, a bill for an act to amend sections sixty-two hundred thirty-nine (6239) and sixty-two hundred forty-one (6241), Code, 1931, relating to the authority of cities and towns to make certain purchases providing for the payment thereof, with report of committee recommending indefinite postponement, was taken up and considered.

Senator Wilson moved that the committee report be adopted.

The chair called for a division of the vote and announced the motion was lost, the committee report not adopted, and House File 53 was placed on the calendar.

Senator Anderson appeared in the Senate Chamber and the call of the Senate was declared to be complete.

CONSIDERATION OF SENATE FILE 78 RESUMED

Senator Mullaney offered the following amendment and moved its adoption:

Amend Senate File 78 by inserting immediately after section four (4) the following:

"Sec. 5. That subsection 'e' of section five (5) of chapter eighty-two (82) of the acts of the Forty-fifth General Assembly, Extra Session, is hereby repealed and the following is enacted in lieu thereof:

"e. On the fifth thousand dollars of taxable income, or any part thereof, six (6) per cent, and on all taxable income in excess of five thousand (5,000) dollars, six (6) per cent."

"Renumber the remaining sections."

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

Senator Shangle raised the point of order that the pending amendment related to the law rather than to the bill under discussion.

The chair ruled the point was not well taken.

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 30:

Anderson	Corwin	Hush	Mullaney
Aschenbrenner	Driscoll	Husted	Parker
Baldwin	Elthon	Irwin	Patterson
Beardsley	Fisch	Kimberly	Pendray
Bell of	Geske	Knudson	Reese
Des Moines	Goetsch	McArthur	Shangle
Berg	Grunewald	Meyer	Shaw
Calhoun	Harrington	Millhone	

Nays, 20:

Bell of Crawford	Doze	Moore	Stevens of
Billingsley	Hopkins	Nelson	Decatur
Byers	Malone	Roelofs	Stevens of
Chrystal	Mason	Schmidt	Wapello
Dewey	Miller	Stanley	Valentine
Donohue			Wilson

Absent or not voting, none.

Rule 8 was invoked.

The motion prevailed and the amendment was adopted.

Senator Harrington moved the previous question on the bill, which motion prevailed.

Senator Irwin moved that the reading just had be considered the third reading and the bill as amended placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 20:

Anderson	Donohue	Harrington	Moore
Baldwin	Driscoll	Irwin	Mullaney
Billingsley	Fisch	Kimberly	Parker
Byers	Goetsch	Meyer	Reese
Corwin	Grunewald	Millhone	Wilson

Nays, 27:

Aschenbrenner	Elthon	Miller	Shaw
Beardsley	Hush	Nelson	Stanley
Bell of Crawford	Husted	Patterson	Stevens of
Berg	Knudson	Pendray	Decatur
Calhoun	McArthur	Roelofs	Stevens of
Chrystal	Malone	Schmidt	Wapello
Dewey	Mason	Shangle	Valentine
Doze			

Absent or not voting, 3:

Bell of	Geske	Hopkins
Des Moines		

The bill as amended having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Stevens of Wapello moved that the vote by which Senate File 78 failed to pass the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Roelofs, the Senate resolved itself into executive session.

EXECUTIVE SESSION

The Senate confirmed the following appointments:

Frank M. Stevens as a member of the board of control to begin July 1, 1935 and to end June 30, 1941; Irving H. Knudson as a member of the highway commission to begin July 1, 1935 and to end June 30, 1941; Harry M. Greene as a member of the highway commission to begin July 1, 1935 and to end June 30, 1939; George T. Baker as a member of the board of education to begin July 1, 1935 and to end June 30, 1941; John P. Wallace as a member of the board of education to begin July 1, 1935 and to end June 30, 1941; Ray Murphy as insurance commissioner to begin July 1, 1935 and to end June 30, 1939; Frank M. Carrell as a member of the board of parole to begin July 1, 1935 and to end June 30, 1941; John C. DeMar as commerce counsel to begin July 1, 1935 and to end June 30, 1939; and Frank E. Wenig as labor commissioner to begin July 1, 1935 and to end July 1, 1937.

The Senate arose from executive session and resumed regular session.

COPIES BROOKINGS INSTITUTE REPORT ORDERED

Senator Harrington moved that the members of the Senate be able to obtain a bound copy of the Brookings Institute report by presenting their copy to the printing board, and that the printing board be so instructed.

As a substitute motion, Senator Wilson moved that the printing board be requested to furnish the members of the Senate a bound copy of the Brookings Institute report.

The motion to substitute prevailed, the substitution was made and the substitute motion prevailed.

ACTION DEFERRED ON BILLS

By unanimous consent granted Senator Wilson, it was ordered that the rules be suspended and action on all bills reported for indefinite postponement be deferred.

Senator Doze was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 300, by committee on mines and mining, a bill for an act to amend the law as the same appears in chapters seventy (70), seventy-one (71), seventy-two (72), Code, 1931, relating to compensation for injuries sustained arising out of and in the course of employment; providing that the right to reject the law relating to compensation for injuries sustained arising out of and in the course of employment shall not apply to the business of operating a mine and of producing coal for sale under any system of operation; making it a misdemeanor to operate a mine or do any work in connection therewith, or incident thereto, without first obtaining insurance covering compensation payments or obtaining relief therefrom; and providing injunctive process to prevent continuing such wrongful acts.

The bill was read first and second times and placed on calendar.

REPORT OF COMMITTEE

Senator Bell of Des Moines submitted the following report:

MR. PRESIDENT: Your committee on manufacturing, commerce and trade to which was referred Senate File 133, a bill for an act to repeal chapter fifty (50), acts of the Forty-fifth General Assembly, and to enact a substitute therefor, prohibiting the sale in Iowa of all prison made goods produced by convict labor, and provide a penalty for a violation thereof, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Senate File 133 by inserting following the word "works" in line 11, section two (2), the following:

"And provided that no present owner and user of prison made farm equipment shall be denied the privilege of securing necessary repair parts needed during actual life of such equipment."

JAS. M. BELL, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 183, section fourteen (14), by striking the word "or" in line 4, after the word "unions" and insert a comma in place thereof.

Further amend by striking the comma after the word "pawnbrokers" in line 5 and insert the following: "or those operating under chapter one hundred twenty-five (125) of the Forty-fifth General Assembly, Extraordinary Session.

PAUL SCHMIDT.

Amend Senate File 172 as follows:

1. Insert in line 28, paragraph seven (7) of section two (2), after the word "stores", the words "or chain farms."
2. Insert in line 8, paragraph nine (9), of section three (3), after the letter "(b)", the word "Resident."
3. Insert in line 10, paragraph nine (9), of section three (3), after the letter "(c)", the word "Resident."
4. Insert in line 1, section four (4), following the word "every", the word "non-resident."
5. Insert in line 3, section four (4), following the word "stores", the words "and/or chain farms."
6. Insert in line 5, section four (4), following the word "merchandise", the words "and/or farm products."
7. Insert in line 6, section four (4), following the word "such", the word "non-resident."
8. Insert in line 9, section four (4), following the word "stores", the words "or chain farms."
9. Insert in line 11, section four (4), following the word "store", the words "or farm."
10. Insert in line 13, section four (4), following the word "stores", the words "or farms."
11. Insert in line 19, section four (4), following the word "stores", the words "or farms."
12. Insert in line 21, section four (4), following the word "store", the words "or farm."
13. Insert in line 24, section four (4), following the word "stores", the words "or farms."
14. Insert in line 26, section four (4), following the word "store", the words "or farm."
15. Insert in line 29, section four (4), following the word "store", the words "or farms."
16. Insert in line 32, section four (4), following the word "store", the words "or farm."
17. Insert in line 34, section four (4), following the word "stores", the words "or farms."
18. Insert in line 37, section four (4), following the word "store", the words "or farms."
19. Insert in line 38, section four (4), following the word "stores", the words "or farms."

20. Insert in line 41, section four (4), following the word "stores", the words "or farms."

21. Insert in line 44, section four (4), following the word "stores", the words "or farms."

22. Insert in line 19, section eight (8), following the word "store", the words "and chain farm."

L. T. SHANGLE.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 22, 1935.

The Senate met in regular session, Senator Wilson presiding.

Prayer was offered by Rev. Ernest B. Stewart, pastor of the M. E. church at Bridgewater.

The Journal of March 21, 1935, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Harrington for the day, on request of Senator Valentine.

PETITIONS AND MEMORIALS

The following petitions were received and filed, to be referred to the designated committees:

Senator Chrystal, from residents of Sac county, opposing House File 253. Committee on ways and means.

Senator Roelofs, from residents of Osceola county, opposing House File 253. Committee on ways and means.

Senator Kimberly, from residents of Scott county, opposing Senate File 166. Committee on ways and means.

Senator Dewey, from residents of Washington county, in regard to local option on liquor stores or places where beer is sold. Committee on judiciary No. 2.

Senator Pendray, from residents of Jackson county, opposing Senate File 156. Committee on state planning.

Senator Grunewald, from residents of Tama county, favoring the tax on the so-called "chain stores" doing business in the state. Committee on cities and towns.

Senator Fisch, from residents of Plymouth county, opposing the tax on the so-called "chain stores" doing business in the state. Committee on cities and towns.

Senator Harrington, from residents of Woodbury county, opposing the tax on the so-called "chain stores" doing business in the state. Committee on cities and towns.

Senator Irwin, from residents of Clinton county, favoring resolution supporting bill to strike out clause in mortgage of federal land bank and insurance companies, giving chattel on all products sold off farms where there are farm loans. Committee on federal co-ordination.

Senator Dewey, from residents of Henry county, opposing Senate File 224. Committee on judiciary No. 2.

President N. G. Kraschel took the chair at 10:05 a. m.

On motion of Senator Wilson, the Senate recessed until the fall of the gavel.

The Senate came to order at the sound of the gavel.

SENATE FILE 11 INDEFINITELY POSTPONED

Senate File 11, a bill for an act to amend section ninety-two hundred seventeen-c one (9217-c1), Code, 1931, as amended by chapter one hundred sixty-one (161) of the acts of the Forty-fifth General Assembly, relating to the minimum capitalization of state and savings banks and trust companies, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

HOUSE FILE 117 REFERRED

House File 117, a bill for an act to amend sections fifty-eight hundred eighty-two (5882), fifty-eight hundred ninety (5890), and eighty-one hundred eighty-one (8181), Code, 1931, relating to the amount of taxes which may be voted in certain instances and to harmonize said sections with the provisions of Forty-fifth General Assembly, chapter one hundred twenty-one (121), with report of committee recommending indefinite postponement, was taken up and considered.

As a substitute for the committee report, Senator Patterson moved that House File 117 be referred to the committee on ways and means.

The motion to substitute prevailed, the substitution was made and the substitute motion prevailed.

SENATE FILE 100 REREFERRED

Senate File 100, a bill for an act to make an appropriation to the city of Iowa City, Iowa, to compensate the city for expenses incurred, or to be incurred, in improving and extending its sewage system and constructing and equipping a sewage disposal plant, in proportion to the use of such system and plant to serve state-owned property, with report of committee recommending indefinite postponement, was taken up and considered.

By unanimous consent granted Senator Schmidt, it was ordered that Senate File 100 be rereferred to the committee on appropriations.

SENATE FILE 123 PLACED ON CALENDAR

Senate File 123, a bill for an act to define handicapped children; to provide special school facilities, home and bedside instruction for said children; to provide for state aid and for the administration of this act; to repeal sections forty-two hundred thirty-five (4235), forty-three hundred twelve (4312), Code, 1931, relating to school census and to enact substitutes therefor; and to amend sections forty-three hundred thirteen (4313), Code, 1931, as it relates to school census, with report of committee recommending indefinite postponement, was taken up and considered.

Senator Stevens of Wapello moved that the committee report be adopted.

Roll call was requested.

The question was, Shall the report be adopted?

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

Ayes, 15:

Baldwin	Meyer	Shangle	Stevens of
Elthon	Miller	Shaw	Wapello
Fisch	Mullaney	Stanley	Valentine
Malone	Nelson	Stevens of	
Mason		Decatur	

Nays, 21:

Aschenbrenner	Chrystal	Hopkins	Patterson
Beardsley	Corwin	Hush	Pendray
Bell of	Dewey	Husted	Roelofs
Des Moines	Donohue	Millhone	Schmidt
Berg	Goetsch	Moore	Wilson
Billingsley	Grunewald		

Absent or not voting, 14:

Anderson	Doze	Irwin	McArthur
Bell of Crawford	Driscoll	Kimberly	Parker
Byers	Geske	Knudson	Reese
Calhoun	Harrington		

The motion to adopt the report was lost and the bill was ordered to be placed on the calendar.

SENATE FILE 5 INDEFINITELY POSTPONED

Senate File 5, a bill for an act to provide the least number of men that may be employed on switch engines, or engines engaged in switching cars, and the penalty for the violation thereof, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 66, 72, 150.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 66, 72, 150.

BILLS SENT TO THE GOVERNOR

Senator Calhoun, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 22nd day of March, 1935, sent to the Governor for his approval Senate Files 66, 72, 150.

JOHN N. CALHOUN, *Chairman.*

Passed on file.

HOUSE FILE 141 SUBSTITUTED FOR SENATE FILE 108

By unanimous consent granted Senator Roelofs, it was ordered that House File 141 be substituted for Senate File 108.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the report of the committee on joint rules and the amendments proposed therein.

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

House File 88, a bill for an act to encourage the acquiring and ownership of homesteads.

VIRGIL LEKIN, *Chief Clerk.*

THIRD READING OF BILLS

House File 141, a bill for an act to legalize the compensation paid as salaries to public officials excepting judges of district and supreme courts, under the provisions of chapter eighty-nine (89) of the acts of the Forty-fifth General Assembly, was taken up and considered.

Senator Donohue offered the following amendment and moved its adoption:

Amend House File 141 in section one (1), line 3, by inserting after the word "accepted" the following: "prior to the time that said act was held invalid,".

The motion prevailed and the amendment was adopted.

Senator Shangle offered the following amendment and moved its adoption:

Amend House File 141 as follows: Substitute a period for the semicolon at the end of line 12, section one (1), and strike out the remainder of the section.

The chair called for a division of the vote and announced the motion to amend was lost.

Senator Hush offered the following amendments and moved their adoption:

Amend House File 141, section one (1), line 8, by striking the word "are" and inserting in lieu thereof the word "is."

Also amend section one (1), line 10, by inserting following the word "the" the following: "amount of such."

The motion prevailed and the amendments were adopted.

Senator Baldwin moved the previous question on the bill, which motion prevailed.

Senator Roelofs moved that the bill as amended be read a third

time now and be placed upon its passage, which motion prevailed. and the bill as amended was read a third time.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 29:

Anderson	Doze	Malone	Reese
Beardsley	Driscoll	Mason	Roelofs
Bell of Des Moines	Elthon	McArthur	Shangle
Billingsley	Grunewald	Meyer	Stevens of Decatur
Chrystal	Hopkins	Miller	Stevens of Wapello
Dewey	Hush	Moore	Valentine
Donohue	Husted	Mullaney	
	Irwin	Pendray	

Nays, 14:

Aschenbrenner	Corwin	Millhone	Schmidt
Baldwin	Fisch	Parker	Shaw
Byers	Goetsch	Patterson	Wilson
Calhoun	Knudson		

Absent or not voting, 7:

Bell of Crawford	Geske	Kimberly	Stanley
Berg	Harrington	Nelson	

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

Senator Stevens of Wapello moved that the vote by which House File 141 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

HOUSE FILE 141 MESSAGED TO HOUSE

By unanimous consent granted Senator Stevens of Wapello, it was ordered that House File 141 be messaged to the House immediately.

COPIES SENATE FILE 20 ORDERED

By unanimous consent granted Senator Moore, it was ordered that 600 additional copies of Senate File 20, as amended and finally passed the Senate, be printed.

Senator Mason asked unanimous consent that House File 67 be withdrawn from the committee on motor vehicles and made a special order of business for Wednesday morning, March 27, 1935. Objections were raised and the request was denied.

SENATE FILE 289 MADE SPECIAL ORDER

By unanimous consent granted Senator Berg, it was ordered that Senate File 289 be made a special order of business for 10:00 a. m. Monday, March 25, 1935.

SENATE FILE 142 WITHDRAWN

By unanimous consent granted Senator Schmidt, it was ordered that Senate File 142 be withdrawn from further consideration by the Senate.

Senator Meyer was granted unanimous consent to return to introduction of bills.

INTRODUCTION OF BILLS

Senate File 301, by committee on drainage, a bill for an act to amend chapter three hundred fifty-eight-b one (358-b1), Code, 1931; to provide for the refinancing, adjustment, composition and refunding in such adjusted amount, of the debts of drainage, levee and pumping plant districts in distress; to authorize the governing boards of such districts to borrow money from the Reconstruction Finance Corporation or other loan agency, and to issue bonds therefor, and to cancel old assessments and replace them with new assessments for the payment of said bonds; to provide a procedure therefor and a manner of hearing, notice and appeal therefrom; and to provide for an amendment to section seven thousand seven hundred fourteen-b ten (7714-b10), as amended by chapter one hundred one (101), section two (2), acts of the Forty-fifth General Assembly, Extraordinary Session, and seven thousand seven hundred fourteen-b nine (7714-b9), Code, 1931, and to provide for the issuance of bonds for a period of not to exceed forty years.

The bill was read first and second times and placed on the calendar.

REPORTS OF COMMITTEES

Senator Shangle submitted the following report:

MR. PRESIDENT: Your committee on elections and contests to which was referred House File 44, a bill for an act to amend section ten hundred forty-three (1043), Code, 1931, relative to costs of contesting elec-

tion of county officers, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

L. T. SHANGLE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on elections and contests to which was referred House File 63, a bill for an act to amend section six hundred seventy-six (676), Code, 1931, relating to registration of voters, begs leave to report it has had the same under consideration and recommends that the same do pass.

L. T. SHANGLE, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

The committee on drainage moves to amend Senate File 301 as follows:

Amend Senate File 301 as follows:

1. Amend section two (2), line 4, by inserting after the comma following the word "thereof" the words "or board of supervisors as the case may be,".

2. Amend section three (3), line 2, after the word "district" by adding the following: ", or board of supervisors."

3. Further amend section three (3), line 9, by adding after the word "body", the words ", or board of supervisors."

4. Further amend section three (3), line 14, by adding after the word "same", the words ", with interest," and by striking the comma following the word "bonds" as it appears the second time in said line 15, and adding the words "and interest thereon," and by striking the comma following the word "provided" in line 16 of said section three (3).

5. Amend section four (4), line 2, by adding after the comma following the word "district", the words "or board of supervisors,".

6. Amend section four (4), line 16, by adding after the word "district", the words ", or board of supervisors,".

L. H. MEYER, *Chairman.*

Senator Reese submitted the following report:

MR. PRESIDENT: Your committee on labor to which was referred Senate File 127, a bill for an act to create in the department of labor, a division devoted to the deaf and the hard of hearing, begs leave to report it has had the same under consideration and returns the bill without recommendation.

CHRIS REESE, *Chairman.*

Ordered passed on file.

On motion of Senator Shangle, the Senate adjourned until 10:00 a. m. Monday, March 25, 1935.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 25, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. A. J. Matthews, pastor of the M. E. church at Orient.

The Journal of March 22, 1935, was approved.

PETITIONS AND MEMORIALS

The following petitions were received and filed, to be referred to the designated committees:

Senator Patterson, from residents of Kossuth county, opposing bill to abolish benevolent societies in Iowa. Committee on insurance.

Senator Berg, from residents of Black Hawk county, opposing change in retail sales tax laws. Committee on ways and means.

The following petitions favoring the tax on the so-called "chain stores" doing business in the state were received and filed, to be referred to the committee on cities and towns:

Senator Berg, from residents of Black Hawk county; Senator Byers, from residents of Linn county; Senator Anderson, from residents of Webster county.

The following petitions favoring Senate File 163 were received and filed, to be referred to the committee on motor vehicles:

Senator Patterson, from residents of Kossuth county; Senator Reese, from residents of Marshall county.

The following petitions opposing Senate File 166 were received and filed, to be referred to the committee on ways and means:

Senator Byers, from residents of Linn county; Senator Baldwin, from residents of Dubuque county.

INTRODUCTION OF BILLS

Senate File 302, by committee on motor vehicles, a bill for an act to repeal chapter two hundred fifty-two-a one (252-a1), chapter two hundred fifty-two-a two (252-a2), and chapter two hundred fifty-two-c one (252-c1), of the Code, 1931; to define common, contract and private motor carriers; to provide for the supervision and regulation by the board of railroad commissioners of the use of the highways of this state by those engaged in the transportation thereon of passengers or property for hire; to provide that no common motor carrier shall hereafter operate as a common motor carrier without having obtained from the board of railroad commissioners a certificate of convenience and necessity, and that no contract motor carrier or private motor carrier shall hereafter operate as a contract motor carrier or a private motor carrier without having obtained from the board of railroad commissioners a permit; to provide for the levy and collection of a tax to be paid by common, contract and private motor carriers for the construction, maintenance, repair and reconstruction of such highways; to provide for the furnishing of insurance or surety bonds by common, contract and private carriers; to authorize cities and towns by ordinance to adopt general rules of operation and to designate the streets or routes over which common and contract motor carriers shall travel; to provide for hearings and for appeals from the decisions of the board of railroad commissioners; to provide for the disposition of moneys collected hereunder; to provide for the administration and enforcement of the provisions of this act, including the establishment of stations for the registration, inspection and regulation of and the collection of tax from common, contract and private motor carriers entering this state, and to provide punishment for the violation of the provisions hereof.

The bill was read first and second times and placed on calendar.

HOUSE MESSAGES CONSIDERED

House File 88, a bill for an act to encourage the acquiring and ownership of homesteads; to amend chapter eighty-two (82), acts of the Forty-fifth General Assembly, Extraordinary Session, relating to taxation, income and retail sales; to strike paragraphs three (3) and four (4), of section sixty-one (61) of said chapter, and to substitute in lieu thereof new paragraphs as paragraphs two

(2) and three (3) of said section, relating to the allocation of funds arising under the provisions of said chapter to the reduction of taxes on homesteads; to strike paragraph three (3), of section sixty-two (62) of said chapter and to substitute in lieu thereof a new paragraph, as paragraph three (3) of said section, and prescribing the procedure of county treasurers in the certification and distribution to the several taxing districts of the counties of moneys received from the comptroller on order of the board; to define homesteads and providing for designation thereof, and prescribing the duties of officers, and providing a method of entering credits against the tax on the first twenty-five hundred (2500) dollars of the assessed value of homesteads, and providing a method for determining beneficiaries of such credits; to provide for the disposition of the excess, if any, transmitted to county treasurers, over and above the total tax levied on homesteads within such twenty-five hundred (2500) dollar limit; to provide a method of review of all questions relating to tax credits on homesteads, and providing a penalty for making false affidavit for the purpose of securing such credit.

The bill was read first and second times and referred to committee on ways and means.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had signed Senate File 39 on March 20, 1935, and Senate Files 66 and 72 on March 23, 1935.

PROOFS OF PUBLICATION

The official proofs of publication of Senate File 298, a bill for an act to legalize and validate proceedings taken by the town council of Grundy Center, Iowa, authorizing and providing for the issuance of swimming pool bonds and making provisions to pay said bonds, was duly filed with the Secretary of the Senate in compliance with the provisions of section ten thousand three hundred fifty-eight (10358) of the Code, 1931.

The official proofs of publication of Senate File 62, a bill for an act to legalize and validate the tax levy made by the town council of Dallas Center in Dallas county, Iowa, in the year 1934 and to be collected in the year 1935 for the purpose of providing funds to pay interest and create a sinking fund to retire principal on forty-one thousand (41,000) dollars waterworks bonds of said town of Dallas Center, Iowa, was duly filed with the Secretary of the Senate in compliance with the provisions of section ten thousand three hundred fifty-eight (10358) of the Code, 1931.

HEDO M. ZACHERLE, *Secretary of the Senate.*

THIRD READING OF BILLS

The proper time having arrived, Senate File 289, a bill for an act to legalize and validate proceedings taken by the town council of the town of Grundy Center, Iowa, authorizing and providing for the issuance of swimming pool bonds and making provisions for the levy of taxes to pay said bonds, was taken up and considered.

The bill was read for information.

Senator Beardsley moved the previous question, which motion prevailed.

Senator Berg moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 35:

Baldwin	Elthon	Malone	Reese
Beardsley	Fisch	McArthur	Schmidt
Bell of	Geske	Meyer	Shaw
Des Moines	Grunewald	Miller	Stanley
Berg	Harrington	Millhone	Stevens of
Billingsley	Hopkins	Moore	Decatur
Dewey	Hush	Mullaney	Stevens of
Donohue	Husted	Parker	Wapello
Doze	Irwin	Patterson	Wilson
Driscoll	Knudson		

Nays, 1:

Shangle

Absent or not voting, 14:

Anderson	Calhoun	Kimberly	Pendray
Aschenbrenner	Chrystal	Mason	Roelofs
Bell of Crawford	Corwin	Nelson	Valentine
Byers	Goetsch		

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

Senator Berg moved that the vote by which Senate File 289 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTION TO SUBSTITUTE

Senator Shaw asked unanimous consent that House File 88 as passed by the House be substituted for Senate File 53 and retain

the original position of Senate File 53 on the calendar. Objections were raised and the request denied.

Senator Shaw moved that House File 88 as passed by the House be substituted for Senate File 53 and retain the original position of Senate File 53 on the calendar.

Senator Harrington raised the point of order that inasmuch as House File 88 had been referred to a committee that it would require a suspension of the rules, and therefore a two-thirds vote of the Senate to withdraw the bill from a committee and place it on the calendar.

The chair ruled that a vote of twenty-six was necessary to withdraw a bill from a committee.

By unanimous consent Senator Shaw withdrew his motion.

Senator Bell of Crawford moved that Senate File 53 be made a special order of business for Thursday, March 28th, at 10:00 a. m.

As a substitute motion, Senator Harrington moved that Senate File 53 be rereferred to the committee on ways and means.

By unanimous consent Senator Bell of Crawford withdrew his motion.

By unanimous consent Senator Harrington withdrew his substitute motion.

SENATE FILE 53 MADE SPECIAL ORDER

Senator Bell of Crawford moved that Senate File 53 be made a special order of business for Thursday, April 4th, at 10:00 a. m. The motion prevailed and Senate File 53 was made a special order of business for Thursday, April 4th, at 10:00 a. m.

By unanimous consent granted Senator Wilson, it was agreed that all legalizing acts on the calendar be now considered in the order that the bills appear on the calendar.

Senator Harrington moved that the Secretary of the Senate prepare a calendar and that the Senate follow that calendar, and if the sponsors of any bill are not ready to handle the bill it shall lose its place and automatically go to the foot of the calendar, which motion prevailed.

ACTION ON SENATE FILE 47 DEFERRED

In accordance with the Harrington motion, action on Senate File 47 was deferred and the bill was placed at the foot of the calendar.

THIRD READING OF BILLS

Senate File 129, a bill for an act authorizing the issue of a patent to the south half of the northeast one-fourth ($\frac{1}{4}$), of section twenty-three (23), township eighty-eight (88), north, range one (1), east of fifth (5th), P. M., Dubuque county, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent granted Senator Wilson, the name of "Plain Talk", a newspaper published at "Des Moines," was inserted as the second newspaper in the publication clause of Senate File 129.

The bill was read for information.

Senator Baldwin moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 41:

Aschenbrenner	Doze	Knudson	Patterson
Baldwin	Driscoll	Malone	Pendray
Bell of Crawford	Elthon	Mason	Shangle
Bell of	Fisch	McArthur	Shaw
Des Moines	Geske	Meyer	Stanley
Berg	Goetsch	Miller	Stevens of
Billingsley	Grunewald	Millhone	Decatur
Byers	Harrington	Moore	Stevens of
Chrystal	Hopkins	Mullaney	Wapello
Dewey	Hush	Nelson	Valentine
Donohue	Irwin	Parker	Wilson

Nays, none.

Absent or not voting, 9:

Anderson	Corwin	Kimberly	Roelofs
Beardsley	Husted	Reese	Schmidt
Calhoun			

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

Senator Baldwin moved that the vote by which Senate File 129

passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

President pro tempore, Harold L. Irwin took the chair at 10:55 a. m.

Senate File 203, a bill for an act to legalize the corporate acts and proceedings of The Times Company of Davenport, Iowa, and to provide for the renewal and extension of the period of corporate existence and the adoption of renewal, amended and substituted articles of incorporation of said The Times Company, was taken up and considered.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 40:

Aschenbrenner	Elthon	Malone	Patterson
Baldwin	Fisch	Mason	Pendray
Beardsley	Geske	McArthur	Shangle
Bell of Crawford	Goetsch	Meyer	Shaw
Berg	Grunewald	Miller	Stanley
Billingsley	Harrington	Millhone	Stevens of
Byers	Hopkins	Moore	Decatur
Chrystal	Hush	Mullaney	Stevens of
Dewey	Husted	Nelson	Wapello
Donohue	Irwin	Parker	Wilson
Driscoll	Knudson		

Nays, none.

Absent or not voting, 10:

Anderson	Calhoun	Kimberly	Schmidt
Bell of	Corwin	Reese	Valentine
Des Moines	Doze	Roelofs	

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

Senator Wilson moved that the vote by which Senate File 203 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate File 62, a bill for an act to legalize and validate the tax levy made by the town council of the town of Dallas Center in Dallas county, Iowa, in the year 1934 and to be collected in the

year 1935 for the purpose of providing funds to pay interest and create a sinking fund to retire principal on forty-one thousand (41,000) dollars water works bonds of said town of Dallas Center, Iowa, was taken up and considered.

The bill was read for information.

Senator Hopkins was granted unanimous consent to insert as the name of the second newspaper in the publication clause of Senate File 62, "Adel News," a newspaper published at "Adel," Iowa.

Senator Hopkins moved that the reading just had be considered the third reading and the bill placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 37:

Aschenbrenner	Doze	Mason	Pendray
Beardsley	Fisch	McArthur	Reese
Bell of Crawford	Goetsch	Meyer	Shangle
Bell of	Grunewald	Miller	Shaw
Des Moines	Harrington	Millhone	Stanley
Berg	Hopkins	Moore	Stevens of
Billingsley	Hush	Mullaney	Decatur
Byers	Husted	Nelson	Stevens of
Dewey	Irwin	Parker	Wapello
Donohue	Knudson	Patterson	Wilson

Nays, none.

Absent or not voting, 13:

Anderson	Corwin	Geske	Roelofs
Baldwin	Driscoll	Kimberly	Schmidt
Calhoun	Elthon	Malone	Valentine
Chrystal			

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

Senator Hopkins moved that the vote by which Senate File 62 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate File 117, a bill for an act to legalize the action of the county auditor and county board of supervisors of Wayne county, Iowa, in making expenditures and issuing warrants in 1934 against the poor fund of said county; to make said warrants the legal, valid, and binding obligations of said county, and to author-

ize the county treasurer of said county to pay said warrants out of any funds coming into his hands in 1935 and belonging to the poor fund of said county, with report of committee without recommendation, was taken up and considered.

The bill was read for information.

Senator Doze moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 41:

Aschenbrenner	Doze	Knudson	Pendray
Baldwin	Elthon	Malone	Reese
Beardsley	Fisch	Mason	Schmidt
Bell of Crawford	Geske	McArthur	Shangle
Bell of	Goetsch	Meyer	Shaw
Des Moines	Grunewald	Miller	Stanley
Berg	Harrington	Millhone	Stevens of
Billingsley	Hopkins	Moore	Decatur
Byers	Hush	Mullaney	Stevens of
Dewey	Husted	Parker	Wapello
Donohue	Irwin	Patterson	Wilson

Nays, none.

Absent or not voting, 9:

Anderson	Corwin	Kimberly	Roelofs
Calhoun	Driscoll	Nelson	Valentine
Chrystal			

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

Senator Doze moved that the vote by which Senate File 117 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House File 39, a bill for an act to legalize the corporate acts and proceedings of the Hawkeye Realty Company, of Ames, Iowa, and to provide for the renewal and extension of the period of corporate existence of said Hawkeye Realty Company, of Ames, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Nelson moved that the reading just had be considered

the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 40:

Aschenbrenner	Elthon	Malone	Pendray
Baldwin	Fisch	Mason	Reese
Beardsley	Geske	McArthur	Shangle
Bell of Crawford	Goetsch	Meyer	Shaw
Bell of	Grunewald	Miller	Stanley
Des Moines	Harrington	Millhone	Stevens of
Berg	Hopkins	Moore	Decatur
Billingsley	Hush	Mullaney	Stevens of
Dewey	Husted	Nelson	Wapello
Donohue	Irwin	Parker	Wilson
Doze	Knudson	Patterson	

Nays, none.

Absent or not voting, 10:

Anderson	Chrystal	Kimberly	Schmidt
Byers	Corwin	Roelofs	Valentine
Calhoun	Driscoll		

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

Senator Nelson moved that the vote by which House File 39 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House File 52, a bill for an act to legalize the corporate acts and proceedings of Ringsted Telephone Company, Ringsted, Iowa, and to provide for the renewal and extension of the period of corporate existence and the adoption of renewal, amended and substituted articles of incorporation of said Ringsted Telephone Company, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Patterson moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 38:

Aschenbrenner	Doze	Knudson	Patterson
Baldwin	Elthon	Malone	Pendray
Beardsley	Fisch	Mason	Reese
Bell of Crawford	Geske	McArthur	Schmidt
Bell of	Goetsch	Meyer	Shangle
Des Moines	Grunewald	Miller	Shaw
Billingsley	Harrington	Millhone	Stanley
Byers	Hopkins	Moore	Stevens of
Dewey	Husted	Mullaney	Decatur
Donohue	Irwin	Parker	Wilson

Nays, none.

Absent or not voting, 12:

Anderson	Corwin	Kimberly	Stevens of
Berg	Driscoll	Nelson	Wapello
Calhoun	Hush	Roelofs	Valentine
Chrystal			

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

Senator Patterson moved that the vote by which House File 52 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate File 125, a bill for an act to restore the corporate status of the Akron Domestic Local Building and Loan Association of Akron, Iowa, and to legalize the corporate acts of the directors and officers thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee was adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 44:

Aschenbrenner	Doze	Malone	Reese
Baldwin	Elthon	Mason	Schmidt
Beardsley	Fisch	McArthur	Shangle
Bell of Crawford	Geske	Meyer	Shaw
Bell of	Goetsch	Miller	Stanley
Des Moines	Grunewald	Millhone	Stevens of
Berg	Harrington	Moore	Decatur
Billingsley	Hopkins	Mullaney	Stevens of
Byers	Hush	Nelson	Wapello
Chrystal	Husted	Parker	Valentine
Dewey	Irwin	Patterson	Wilson
Donohue	Knudson	Pendray	

Nays, none.

Absent or not voting, 6:

Anderson	Corwin	Kimberly	Roelofs
Calhoun	Driscoll		

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

Senator Fisch moved that the vote by which Senate File 125 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate File 213, a bill for an act to legalize renewal of the corporate status of the Cumberland Telephone Company of Cumberland, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Malone offered the following amendment and moved its adoption:

Amend Senate File 213 by striking section four (4), and inserting in lieu thereof the following:

"Sec. 4. This act shall be in full force and effect after its publication in the Atlantic News Telegraph, a newspaper published in the town of Atlantic, Iowa, and the Cumberland Enterprise, a newspaper published in the town of Cumberland, Iowa, without expense to the state."

The motion prevailed and the amendment was adopted.

Senator Malone moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 43:

Aschenbrenner	Doze	Mason	Reese
Baldwin	Elthon	McArthur	Schmidt
Beardsley	Fisch	Meyer	Shangle
Bell of Crawford	Goetze	Miller	Shaw
Bell of	Goetsch	Millhone	Stanley
Des Moines	Grunewald	Moore	Stevens of
Berg	Harrington	Mullaney	Decatur
Billingsley	Hopkins	Nelson	Stevens of
Byers	Husted	Parker	Wapello
Chrystal	Irwin	Patterson	Valentine
Dewey	Knudson	Pendray	Wilson
Donohue	Malone		

Nays, none.

Absent or not voting, 7:

Anderson	Corwin	Hush	Roelofs
Calhoun	Driscoll	Kimberly	

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

Senator Malone moved that the vote by which Senate File 213 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

COPIES OF SENATE FILES ORDERED

By unanimous consent granted Senator Valentine, it was ordered that 1200 copies of Senate File 302 be printed.

By unanimous consent granted Senator Elthon, it was ordered that 600 copies of Senate File 193 be printed.

By unanimous consent granted Senator McArthur, it was ordered that 600 copies of Senate File 197 be printed.

SENATE FILE 42 WITHDRAWN

By unanimous consent granted Senator Harrington, it was ordered that Senate File 42 be withdrawn from further consideration by the Senate.

THIRD READING OF BILLS

By unanimous consent granted Senator Beardsley, Senate File 157, a bill for an act to amend section forty-one hundred eighty-four (4184), Code, 1931, relating to the subjects required in consolidated districts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Beardsley moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 40:

Aschenbrenner	Fisch	Mason	Reese
Baldwin	Geske	McArthur	Schmidt
Beardsley	Goetsch	Meyer	Shangle
Bell of Crawford	Grunewald	Miller	Shaw
Berg	Harrington	Millhone	Stanley
Billingsley	Hopkins	Moore	Stevens of
Byers	Hush	Mullaney	Decatur
Dewey	Husted	Nelson	Stevens of
Donohue	Irwin	Parker	Wapello
Doze	Knudson	Patterson	Valentine
Elthon	Malone		

Nays, none.

Absent or not voting, 10:

Anderson	Calhoun	Driscoll	Roelofs
Bell of	Chrystal	Kimberly	Wilson
Des Moines	Corwin	Pendray	

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

Senator Beardsley moved that the vote by which Senate File 157 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent granted Senator Stevens of Wapello, Senate File 290, a bill for an act to amend section fifty-eight hundred twenty-two (5822), Code of Iowa, 1931, as amended by section thirty-nine (39), chapter one hundred twenty-one (121), laws of the Forty-fifth General Assembly of Iowa, relating to the amount or rate of tax that may be fixed by the river front improvement commission, was taken up and considered.

The bill was read for information.

Senator Stevens of Wapello moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 43:

Aschenbrenner	Doze	Malone	Reese
Baldwin	Elthon	Mason	Schmidt
Beardsley	Fisch	McArthur	Shangle
Bell of Crawford	Geske	Meyer	Shaw
Bell of	Goetsch	Miller	Stanley
Des Moines	Grunewald	Millhone	Stevens of
Berg	Harrington	Moore	Decatur
Billingsley	Hopkins	Mullaney	Stevens of
Byers	Hush	Parker	Wapello
Chrystal	Husted	Patterson	Valentine
Dewey	Irwin	Pendray	Wilson
Donohue	Knudson		

Nays, none.

Absent or not voting, 7:

Anderson	Corwin	Kimberly	Roelofs
Calhoun	Driscoll	Nelson	

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

By unanimous consent granted Senator Doze, Senate File 31, a bill for an act to amend section ninety-eight hundred eighty-five (9885), Code, 1931, relating to the production, manufacture, sale, and distribution of commodities of commerce and providing that

telegraph and telephone service shall be construed to be commodities of commerce, was taken up and considered.

The bill was read for information.

Senator Doze offered the following amendment and moved its adoption:

Amend Senate File 31 by striking lines 4 and 5, in section one (1) of the printed bill, and inserting in lieu thereof the following:

"Telephone service is hereby declared to be a commodity of commerce."

Senator Doze was granted unanimous consent to withdraw the amendment.

President N. G. Kraschel returned to the chair at 11:50 a. m.

Senator Doze offered the following amendment and moved its adoption:

Amend Senate File 31 by striking all of section one (1) of the printed bill, and inserting in lieu thereof the following:

"Section 1. Section ninety-eight hundred eighty-five (9885), Code, 1931, is amended by adding thereto the following:

1. Add after the word 'commerce' in line 6 the following: 'or in the furnishing of telephone service.'

2. Add after the word 'commodity' at the end of line 10 the following: 'or telephone service.'

3. Add after the word 'commodity' in line 12 the following: 'or telephone service.'

4. Add after the word 'allowance' in line 16 the following: 'in the case of telephone service for the difference in the cost of furnishing service in different localities and in the case of commodities.'"

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend the title of Senate File 31 by striking all after the word "that" in line 4 thereof, and inserting in lieu thereof the following:

"the provisions of said section shall apply to the furnishing of telephone service."

The motion prevailed and the amendment was adopted.

Senator Doze moved that the reading just had be considered the third reading, and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 29:

Aschenbrenner	Dewey	Knudson	Schmidt
Beardsley	Doze	Malone	Shangle
Bell of Crawford	Elthon	Mason	Shaw
Bell of	Fisch	McArthur	Stanley
Des Moines	Geske	Meyer	Stevens of
Berg	Goetsch	Miller	Decatur
Billingsley	Grunewald	Mullaney	Stevens of
Chrystal	Hush	Pendray	Wapello

Nays, 1:

Hopkins

Absent or not voting, 20:

Anderson	Donohue	Kimberly	Patterson
Baldwin	Driscoll	Millhone	Reese
Byers	Harrington	Moore	Roelofs
Calhoun	Husted	Nelson	Valentine
Corwin	Irwin	Parker	Wilson

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

Senator Doze moved that the vote by which Senate File 31 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent granted Senator Byers, Senate File 299, a bill for an act providing that the state of Iowa may be made a party in actions involving the title to or partition of real estate, the foreclosure of mortgages and liens upon real estate, and the determination of the priority of liens against real estate; and providing the method of service of notice and fixing the status of the state as a party, was taken up and considered.

The bill was read for information.

Senator Shangle moved that the Senate recess until 1:30 p. m.

As a substitute motion, Senator Harrington moved that the Senate adjourn until 10:00 a. m. Tuesday.

By unanimous consent, Senator Harrington withdrew his substitute motion.

The Shangle motion prevailed and the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

Having recessed until 1:30 p. m. the Senate reconvened, President N. G. Kraschel presiding.

Senator Fisch was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 303, by committee on claims, a bill for an act to make an appropriation to Craig Miller.

The bill was read first and second times and referred to the committee on appropriations.

Senate File 304, by committee on claims, a bill for an act to make an appropriation to Ralph Foster.

The bill was read first and second times and referred to the committee on appropriations.

Senate File 305, by committee on claims, a bill for an act to make an appropriation to Robert Hall, the Anderson Auto Exchange, and Roy Veldhuizen.

The bill was read first and second times and referred to the committee on appropriations.

Senate File 306, by committee on claims, a bill for an act to make an appropriation to C. A. Lenz.

The bill was read first and second times and referred to the committee on appropriations.

Senate File 307, by committee on claims, a bill for an act to make appropriation to E. A. Summerville.

The bill was read first and second times and referred to the committee on appropriations.

Senate File 308, by committee on claims, a bill for an act to make an appropriation to Lee Hurlburt.

The bill was read first and second times and referred to the committee on appropriations.

Senate File 309, by committee on claims, a bill for an act to make appropriation to James Knox.

The bill was read first and second times and referred to the committee on appropriations.

Senate File 310, by committee on claims, a bill for an act to make appropriation to Ethel Conner Carlson.

The bill was read first and second times and referred to the committee on appropriations.

Senate File 311, by committee on claims, a bill for an act to make an appropriation to H. J. Goerner.

The bill was read first and second times and referred to the committee on appropriations.

Senate File 312, by committee on claims, a bill for an act to make an appropriation to J. T. Davenport.

The bill was read first and second times and referred to the committee on appropriations.

Senate File 313, by committee on claims, a bill for an act to make an appropriation to W. B. King.

The bill was read first and second times and referred to the committee on appropriations.

Senate File 314, by committee on claims, a bill for an act to make an appropriation to Muscatine county, Iowa.

The bill was read first and second times and referred to the committee on appropriations.

Senate File 315, by committee on claims, a bill for an act to make an appropriation to Herman Jordan and Will Ager.

The bill was read first and second times and referred to the committee on appropriations.

Senate File 316, by committee on claims, a bill for an act to make an appropriation to Doris Sovereign, and W. H. Bongartz.

The bill was read first and second times and referred to the committee on appropriations.

Senate File 317, by committee on claims, a bill for an act to make an appropriation to Charles Hazen, J. F. Hollingsworth, O. P. M. Criley, and the Sunshine Store.

The bill was read first and second times and referred to the committee on appropriations.

Senate File 318, by committee on claims, a bill for an act to make an appropriation to John F. Fischer.

The bill was read first and second times and referred to the committee on appropriations.

Senate File 319, by committee on claims, a bill for an act to make an appropriation to A. C. Green and Hans Boeck.

The bill was read first and second times and referred to the committee on appropriations.

Senate File 320, by committee on judiciary No. 2, a bill for an act to amend various sections of chapter twenty-five (25) of the acts of the extraordinary session of the Forty-fifth General Assembly, relating to the manufacture, sale and distribution of beer, to create a state permit board and to prescribe the powers and duties of said board, to prescribe the conditions under which permits to sell and distribute beer may be issued, held or revoked, to empower cities and towns to enact ordinances relative to the traffic in such liquors, to require surety bonds relative to such traffic and to declare the liability on such bonds, to fix the alcoholic contents of beer which may be legally sold or distributed, to define "misbranded" beer and to prohibit its importation and sale, to prohibit the addition by permit holders of alcohol to beer kept for sale, and to fix certain penalties for violations of the laws relative to the sale and distribution of beer.

The bill was read first and second times and placed on the calendar.

CONSIDERATION OF SENATE FILE 299 RESUMED

Deliberation on Senate File 299 was resumed.

Senator Byers moved that the reading just had be considered the third reading and the bill placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 38:

Aschenbrenner	Berg	Corwin	Driscoll
Baldwin	Billingsley	Dewey	Elthon
Bell of	Byers	Donohue	Fisch
Des Moines	Chrystal	Doze	Goetsch

Grunewald	Miller	Patterson	Stevens of
Hopkins	Millhone	Pendray	Decatur
Hush	Moore	Schmidt	Stevens of
Irwin	Mullaney	Shangle	Wapello
Knudson	Nelson	Shaw	Valentine
Mason	Parker	Stanley	Wilson
Meyer			

Nays, none.

Absent or not voting, 12:

Anderson	Calhoun	Husted	Malone
Beardsley	Geske	Kimberly	Reese
Bell of Crawford	Harrington	McArthur	Roelofs

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

Senator Byers moved that the vote by which Senate File 299 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

THIRD READING OF BILLS

By unanimous consent granted Senator Valentine, Senate File 291, a bill for an act to amend section twelve thousand seven hundred and seventy-two (12772), Code, 1931, relating to authorized securities and investments of trust funds by fiduciaries, was taken up and considered.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 35:

Aschenbrenner	Donohue	Irwin	Pendray
Baldwin	Doze	Knudson	Schmidt
Beardsley	Driscoll	Mason	Shangle
Bell of	Elthon	Meyer	Shaw
Des Moines	Fisch	Miller	Stevens of
Berg	Goetsch	Millhone	Decatur
Billingsley	Grunewald	Moore	Stevens of
Byers	Harrington	Mullaney	Wapello
Corwin	Hopkins	Parker	Valentine
Dewey	Hush		

Nays, 1:

Wilson

Absent or not voting, 14:

Anderson	Geske	Malone	Reese
Bell of Crawford	Husted	Nelson	Roelofs
Calhoun	Kimberly	Patterson	Stanley
Chrystal	McArthur		

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

By unanimous consent granted Senator Valentine, Senate File 293, a bill for an act relating to mortgaging of real estate by an executor, administrator, guardian, trustee, or other person in a fiduciary capacity; to provide for the purchase by any such fiduciary, of stock in any association or corporation created or which may be created by authority of the United States and as an instrumentality of the United States, when such purchase is necessary or required as an incident or condition of obtaining from or through any such association or corporation, a real estate mortgage loan on land belonging to the estate of a deceased person, minor, or other incompetent, represented by such fiduciary, was taken up and considered.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 38:

Aschenbrenner	Doze	Knudson	Patterson
Baldwin	Driscoll	Malone	Pendray
Beardsley	Fisch	McArthur	Schmidt
Bell of	Goetsch	Meyer	Shangle
Des Moines	Grunewald	Miller	Shaw
Berg	Harrington	Millhone	Stevens of
Billingsley	Hopkins	Moore	Decatur
Byers	Hush	Mullaney	Stevens of
Corwin	Husted	Nelson	Wapello
Dewey	Irwin	Parker	Valentine
Donohue			

Nays, none.

Absent or not voting, 12:

Anderson	Chrystal	Kimberly	Roelofs
Bell of Crawford	Elthon	Mason	Stanley
Calhoun	Geske	Reese	Wilson

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

By unanimous consent granted Senator Donohue, Senate File 292, a bill for an act to provide for the sale or mortgage of exempt real and personal property of persons under guardianship and for the waiver of such exemptions by guardians and to prescribe the procedure therefor, and to limit the period of time within which the validity of such sale may be questioned, was taken up and considered.

The bill was read for information.

Senator Donohue moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 33:

Baldwin	Driscoll	Malone	Pendray
Beardsley	Fisch	McArthur	Shangle
Berg	Goetsch	Meyer	Shaw
Billingsley	Grunewald	Miller	Stevens of
Byers	Harrington	Millhone	Decatur
Corwin	Hush	Moore	Stevens of
Dewey	Husted	Mullaney	Wapello
Donohue	Irwin	Parker	Valentine
Doze	Knudson	Patterson	

Nays, none.

Absent or not voting, 17:

Anderson	Calhoun	Kimberly	Roelofs
Aschenbrenner	Chrystal	Mason	Schmidt
Bell of Crawford	Elthon	Nelson	Stanley
Bell of	Geske	Reese	Wilson
Des Moines	Hopkins		

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

By unanimous consent granted Senator Donohue, Senate File 298, a bill for an act to provide for the mortgaging by an executor or administrator of real estate of decedent, a part or all of which is exempt as a homestead for the purpose of extending or refinancing liens thereon and paying claims and charges against the estate and paying commissions or other expenses of securing such loans and to provide the procedure thereof, and to limit the

time within which the validity of such mortgage may be questioned, was taken up and considered.

The bill was read for information.

Senator Donohue moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 38:

Baldwin	Elthon	Malone	Patterson
Beardsley	Fisch	Mason	Pendray
Bell of	Goetsch	McArthur	Schmidt
Des Moines	Grunewald	Meyer	Shangle
Berg	Harrington	Miller	Shaw
Billingsley	Hopkins	Millhone	Stevens of
Byers	Hush	Moore	Decatur
Dewey	Husted	Mullaney	Stevens of
Donohue	Irwin	Nelson	Wapello
Doze	Knudson	Parker	Valentine
Driscoll			

Nays, 1:

Wilson

Absent or not voting, 11:

Anderson	Calhoun	Geske	Roelofs
Aschenbrenner	Chrystal	Kimberly	Stanley
Bell of Crawford	Corwin	Reese	

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

SENATE FILE 297 REFERRED TO COMMITTEE ON DRAINAGE

By unanimous consent granted Senator Valentine, it was ordered that Senate File 297 be referred to the committee on drainage.

SENATE FILE 176 PLACED ON CALENDAR

Senate File 176, a bill for an act relating to the duration of judgments rendered solely on promissory obligations secured by mortgage or deed of trust of real estate, without foreclosure against said security, with report of committee recommending indefinite postponement was taken up and considered.

Senator Donohue moved that the committee report be adopted.

Senator Beardsley moved the previous question, which motion prevailed.

Roll call was requested.

The question was, Shall the committee report be adopted?

On the question, Shall the committee report be adopted? the vote was:

Ayes, 4:

Byers	Donohue	Doze	Valentine
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Nays, 31:

Aschenbrenner	Grunewald	McArthur	Patterson
Beardsley	Hopkins	Meyer	Pendray
Berg	Hush	Miller	Schmidt
Billingsley	Husted	Millhone	Shangle
Dewey	Irwin	Moore	Shaw
Driscoll	Knudson	Mullaney	Stevens of
Elthon	Malone	Nelson	Decatur
Goetsch	Mason	Parker	Wilson

Absent or not voting, 15:

Anderson	Calhoun	Geske	Roelofs
Baldwin	Chrystal	Harrington	Stanley
Bell of Crawford	Corwin	Kimberly	Stevens of
Bell of	Fisch	Reese	Wapello
Des Moines			

The committee report was rejected and the bill was placed on the calendar.

CALL OF THE SENATE FILED

We, the undersigned, request a call of the Senate on Senate File 156 when it comes up for consideration.

I. G. CHRYSTAL.

H. J. GRUNEWALD.

I. H. KNUDSON.

H. C. BALDWIN.

J. E. DOZE.

L. T. SHANGLE.

GEO. A. WILSON.

VINCENT F. HARRINGTON.

FRANK M. STEVENS.

GEO. M. HOPKINS.

A. CLAIRE DEWEY.

E. P. CORWIN.

GEO. L. PARKER.

JAS. M. BELL.

G. W. PATTERSON.

REPORTS OF COMMITTEES

Senator Stanley submitted the following report:

MR. PRESIDENT: Your committee on military affairs to which was referred Senate File 95, a bill for an act to provide for a naval militia to be known as the Iowa naval militia and to provide for the government

and discipline thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

CLAUDE STANLEY, *Chairman.*

Ordered passed on file.

Senator Moore submitted the following report:

MR. PRESIDENT: Your committee on public health to which was referred Senate File 96, a bill for an act to repeal chapter one hundred seventeen (117), Code, 1931, relating to the practice of podiatry and to enact a substitute therefor, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

M. MOORE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public health to which was referred House File 167, a bill for an act to amend section twenty-five hundred eighty-five-c one (2585-c1), section twenty-five hundred eighty-five-c two (2585-c2), twenty-five hundred eighty-five-c three (2585-c3), etc., begs leave to report it has had the same under consideration and recommends the same do pass.

M. MOORE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public health to which was referred Senate File 168, a bill for an act to repeal the law as it now appears in chapter one hundred eighteen (118), Code, 1931, and to enact a substitute therefor regulating the practice of osteopathy and of osteopathy and surgery, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Senate File 168 as follows:

Amend section one (1) by striking after the word "of" in line 3 the words "medicine which teaches and practices all scientific methods and modalities used in the prevention and treatment of human diseased, but" and substituting in lieu thereof the words, "healing art."

Also amend section one (1), lines 17, 18, 19, 20 and 21 by striking after the word "maladjustment" in line 17 the following: "and/or by other therapeutic agents, methods and modalities used supplementary thereto; but such supplementary agents, methods or modalities shall be used only preliminary to, preparatory to and/or in conjunction with such manual treatment." and inserting a period after the word "maladjustment" in line 17.

Amend section two (2), line 8, by striking the word "medicine" and inserting in lieu thereof the words "healing art."

Also amend section two (2), line 15, after the word "of" by striking the word "medicine" and inserting in lieu thereof the words "healing art."

Amend section three (3) by striking all of paragraph three (3) of said section.

Amend section four (4), line 10, by striking the words "an accredited" and inserting in lieu thereof the word "a", and further amend section four (4), line 10, by inserting after the word "university" the words "accredited by the North Central Association of Secondary Schools and Colleges."

Amend section six (6), lines 7 and 8, by striking after the word "study," the following: "including all of the basic subjects and courses then being taught generally in approved medical schools, and."

Further amend section six (6), line 19, by striking the words "(7) pharmaco-dynamics;" and by renumbering the remaining subsection of such paragraph.

Also amend section six (6), lines 32 and 33, by striking the words "(29) drug-therapy, (30) biological therapy" and renumber the remaining subsection of such paragraph.

Amend by striking all of section eight (8) and by inserting in lieu thereof as section eight (8) the following: "A license to practice 'osteopathy' or 'osteopathy and surgery' shall not authorize the licensee to prescribe or give internal curative medicines and a license to practice 'osteopathy' shall not authorize the licensee to engage in major operative surgery."

Further amend by adding section nine (9) as follows:

"Sec. 9. No person now licensed to practice 'osteopathy' or 'osteopathy and surgery' under chapter one hundred eighteen (118), Code, 1931, shall be permitted to practice supplemental therapeutics, methods or modalities described in this act, unless such licensee complies with the provisions of this act and qualifies by an examination before the board of osteopathic examiners of Iowa, it being the intention that this act shall not be retroactive and that licensed practitioners practicing osteopathy or osteopathy and surgery shall not be granted any additional rights or privileges unless qualified by study and examination, as provided under the terms of this act."

Further amend by adding section ten (10) as follows:

"Sec. 10. Any person who shall violate or participate in the violation of any of the provisions of section nine (9) of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than five hundred (500) dollars or by imprisonment in the county jail for not more than one (1) year, or by both such fine and imprisonment. It shall be the duty of the attorney general and of the several county attorneys to prosecute violations of the foregoing section."

M. MOORE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public health to which was referred Senate File 256, a bill for an act to amend the law as it appears in section twenty-three hundred sixty-four (2364), Code, 1931, relating to the employment of public nurses and that they shall not discriminate against any branch of the healing arts, begs leave to report it has had

the same under consideration and recommends the same be indefinitely postponed.

M. MOORE, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend House File 311 by substituting a comma for the period at the end of line 27 of section two (2), and adding the following:

"except that this act shall not include nor apply to any place of business at which ninety (90) per cent of the revenue is derived from the sale or distribution of petroleum products."

J. BERG.

Amend Senate File 259, section three (3), line 3, by inserting after the comma following the word "parkways," the following: "to acquire with the consent of the board of supervisors,".

WM. S. BEARDSLEY.

On motion of Senator Knudson, the Senate adjourned until 10:00 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 26, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. J. L. Wilson, pastor of the M. E. church at Carbon, Iowa.

The Journal of March 25, 1935 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Driscoll for the day, on request of Senator Mason; Senator Berg for the day, on request of Senator Beardsley; Senator Harrington for the day, on request of Senator Roelofs; Senator Donohue for the day, on request of Senator Stevens of Wapello.

PETITIONS AND MEMORIALS

The following petitions were received and filed, to be referred to the designated committees:

Senator Hopkins, from residents of Dallas county, in regard to local option on liquor stores or places where beer is sold. Committee on judiciary No. 2.

Senator Bell of Crawford, from residents of Monona county, favoring the basic science bill. Committee on public health.

Senator Donohue, from residents of Floyd county, opposing Senate File 163. Committee on motor vehicles.

Senator Donohue, from residents of Floyd county, opposing the basic science bill. Committee on public health.

Senator Donohue, from residents of Chickasaw county, opposing Senate File 131. Committee on county and township affairs.

Senator Donohue, from residents of Chickasaw county, opposing House File 253. Committee on ways and means.

Senator Donohue, from residents of Floyd and Chickasaw

counties, favoring the tax on the so-called "chain stores" doing business in the state. Committee on cities and towns.

Senator Valentine, from residents of Appanoose county, opposing the tax on the so-called "chain stores" doing business in the state. Committee on cities and towns.

Senator Reese, from residents of Marshall county, favoring House File 186. Committee on highways.

Senator Valentine, from residents of Appanoose county, opposing Senate File 156. Committee on state planning.

INTRODUCTION OF BILLS

Senate File 321, by committee on cities and towns, a bill for an act to amend chapter six hundred sixteen-D-one (616-D1), Code, 1931, as amended by the acts of the Forty-fifth General Assembly, Extraordinary Session, relating to Iowa police radio system and to provide an appropriation therefor.

The bill was read first and second times and referred to the committee on appropriations.

Senate File 322, by committee on livestock and dairy, a bill for an act relating to milk and the products thereof; declaring an emergency with respect to their production and marketing; creating a milk marketing board; establishing and defining its jurisdiction, powers and duties; regulating the production, transportation, manufacture, processing, storage, distribution, delivery and sale of milk and the products thereof; providing for the licensing of milk dealers and the payment of fees therefor; authorizing the examination of the business, papers and affairs and requiring the filing of reports by licensees, other milk dealers and producers and permitting with limitations the dissemination of information obtained therefrom; authorizing the issuance of subpoenas by the board or its agents, and conferring jurisdiction upon courts to prohibit violations of its orders, and to punish contempts; providing for appeals to the courts from decisions of the milk marketing board; imposing penalties; authorizing finding of emergencies in particular markets and fixing of minimum retail prices during such emergencies; permitting agreements between distributors and producers as to price to be paid producers, and as to rules and regulations and trade practices.

The bill was read first and second times.

By unanimous consent granted Senator Stevens of Wapello, Senate File 322 was rereferred to the committee on livestock and dairy for the purpose of conducting a public hearing.

SENATE FILE 176 MADE SPECIAL ORDER

By unanimous consent granted Senator Billingsley, it was ordered that Senate File 176 be made a special order of business for 10:00 a. m., Thursday, March 28th.

COPIES SENATE FILE 186 ORDERED

By unanimous consent granted Senator Hush, it was ordered that 600 copies of Senate File 186 be printed.

THIRD READING OF BILLS

House File 17, a bill for an act to amend section fifty-seven hundred forty-five (5745), Code, 1931, relating to the power of city or town councils to regulate dance halls, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hush offered the following amendment and moved its adoption:

Amend the title of House File 17 by striking all after the word "the" in line 2, and inserting in lieu thereof the following: "relating to definition of public dance halls and to the repeal of conflicting acts."

The motion prevailed and the amendment was adopted.

Senator Wilson moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 39:

Aschenbrenner	Billingsley	Donohue	Grunewald
Beardsley	Byers	Doze	Hopkins
Bell of Crawford	Calhoun	Elthon	Hush
Bell of	Corwin	Fisch	Husted
Des Moines	Dewey	Goetsch	Irwin

Malone	Moore	Roelofs	Stevens of
Mason	Mullaney	Schmidt	Wapello
McArthur	Nelson	Shaw	Valentine
Meyer	Parker	Stanley	Wilson
Miller	Patterson	Stevens of	
Millhone	Pendray	Decatur	

Nays, none.

Absent or not voting, 11:

Anderson	Chrystal	Harrington	Reese
Baldwin	Driscoll	Kimberly	Shangle
Berg	Geske	Knudson	

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

House File 38, a bill for an act providing for the segregation by the county treasurer of taxes paid in the year 1935, which were due and owing prior to January 1, 1935, and providing that the money so segregated shall be sent to the public taxing bodies in the amount due said taxing bodies and providing that the treasurer of any such taxing body shall keep an accurate list of all warrants which he stamped "unpaid for lack of funds," with the date of issuance, number of the warrant and the amount of same, and providing for the payment of the warrants which were stamped unpaid for lack of funds in the previous fiscal year out of the money so segregated, and providing for the disposition of any balance after the payment of all outstanding warrants, and authorizing the issuance of bonds in the event that the funds are insufficient to pay all outstanding warrants, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

The question was, Shall the bill pass?

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

Ayes, 33:

Aschenbrenner	Donohue	Meyer	Roelofs
Baldwin	Doze	Miller	Schmidt
Bell of Crawford	Goetsch	Millhone	Shaw
Bell of	Grunewald	Moore	Stevens of
Des Moines	Hopkins	Mullaney	Decatur
Byers	Hush	Nelson	Stevens of
Calhoun	Husted	Parker	Wapello
Corwin	Irwin	Patterson	Valentine
Dewey	Malone	Pendray	Wilson

Nays, none.

Absent or not voting, 17:

Anderson	Driscoll	Harrington	Mason
Beardsley	Elthon	Kimberly	Reese
Berg	Fisch	Knudson	Shangle
Billingsley	Geske	McArthur	Stanley
Chrystal			

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

Senator Mullaney moved that the vote by which House File 38 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House File 40, a bill for an act to amend section three hundred eighty-eight (388), Code, 1931, as amended by chapter sixty-two (62), section two (2), acts of the Forty-fifth General Assembly, Extraordinary Session, relating to the transfer of active county funds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Malone moved the previous question, which motion prevailed.

Senator Mullaney moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 37:

Aschenbrenner	Dewey	Malone	Patterson
Baldwin	Doze	Mason	Pendray
Beardsley	Fisch	McArthur	Roeleofs
Bell of Crawford	Goetsch	Meyer	Schmidt
Bell of	Grunewald	Miller	Shaw
Des Moines	Hopkins	Millhone	Stevens of
Billingsley	Hush	Moore	Decatur
Byers	Husted	Mullaney	Stevens of
Calhoun	Irwin	Nelson	Wapello
Corwin	Knudson	Parker	Wilson

Nays, 2:

Donohue	Valentine
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Absent or not voting, 11:

Anderson	Driscoll	Harrington	Shangle
Berg	Elthon	Kimberly	Stanley
Chrystal	Geske	Reese	

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

Senator Mullaney moved that the vote by which House File 40 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE 131 MADE SPECIAL ORDER

By unanimous consent granted Senator Roelofs, it was ordered that Senate File 131 be made a special order of business for 10:00 a. m., Friday, March 29th.

SENATE FILE 60 WITHDRAWN

By unanimous consent granted Senator Mason, Senate File 60 was withdrawn from further consideration by the Senate.

THIRD READING OF BILLS

House File 118, a bill for an act to repeal sections thirty-seven hundred fourteen (3714), and thirty-seven hundred fifteen (3715), Code, 1931, and to enact a substitute therefor, and so to amend sections thirty-seven hundred two (3702), thirty-seven hundred seventeen (3717), and thirty-seven hundred nineteen (3719), of said Code as to coordinate said sections with chapter four hundred seventy-three (473) of said Code, relating to the adoption of children, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Pendray moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 37:

Aschenbrenner	Dewey	Malone	Patterson
Baldwin	Donohue	Mason	Pendray
Beardsley	Doze	McArthur	Roelofs
Bell of Crawford	Fisch	Meyer	Schmidt
Bell of	Goetsch	Miller	Shaw
Des Moines	Grunewald	Millhone	Stevens of
Billingsley	Hopkins	Moore	Decatur
Byers	Hush	Mullaney	Stevens of
Calhoun	Husted	Nelson	Wapello
Corwin	Knudson	Parker	Valentine

Nays, none.

Absent or not voting, 13:

Anderson	Elthon	Irwin	Shangle
Berg	Geske	Kimberly	Stanley
Chrystal	Harrington	Reese	Wilson
Driscoll			

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

Senator Pendray moved that the vote by which House File 118 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE 156 MADE SPECIAL ORDER

Unanimous consent was granted Senator Bell of Crawford that Senate File 156 be made a special order of business for Thursday, March 28th, immediately following the disposition of Senate File 176.

THIRD READING OF BILLS

Senate File 159, a bill for an act to regulate the purchase, sale, handling and treatment of cream; to provide for the grading of cream and for the issuance of licenses authorizing such grading; to provide for the issuance of licenses as a condition precedent to the operation of creameries, cream stations, and cream routes; to prohibit the sale for human consumption of unlawful cream, as herein defined; and to provide penalties for the violation of this act, was taken up and considered.

President pro tempore Harold L. Irwin took the chair at 11:45 a. m.

SENATE FILE 159 MADE SPECIAL ORDER

Senator Patterson moved that Senate File 159 be rereferred to the committee on livestock and dairy.

As a substitute motion, Senator Beardsley moved that action on Senate File 159 be deferred and that the bill be made a special order of business for 10:30 a. m., Tuesday, April 2nd.

The motion to substitute prevailed, the substitution was made and the substitute motion prevailed.

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

REPORT OF COMMITTEE

Senator Wilson submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File 126, a bill for an act to legalize the proceedings of the governing bodies of certain cities, including cities acting under special charter, relating to written agreements evidencing and acknowledging the obligations of said cities to certain active and/or retired firemen and/or policemen, and to declare that said proceedings, or written certificates evidencing the same, constitute competent and conclusive evidence as to the obligations therein agreed to by each said city, begs leave to report it has had the same under consideration and recommends the same do pass.

GEORGE A. WILSON, *Chairman.*

Ordered passed on file.

AFTERNOON SESSION

Having recessed until 1:30 p. m. the Senate reconvened, President N. G. Kraschel presiding.

THIRD READING OF BILLS

By unanimous consent granted Senator Wilson, Senate File 126, a bill for an act to legalize the proceedings of the governing bodies of certain cities, including cities acting under special charter, relating to written agreements evidencing and acknowledging the obligations of said cities to certain active and/or retired firemen and/or policemen, and to declare that said proceedings, or written certificates evidencing the same, constitute competent and conclusive evidence as to the obligations therein agreed to by each said city, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wilson was granted unanimous consent to insert in section one (1), at the end of line 4 the words "Keokuk, Muscatine,".

Senator Wilson moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 37:

Aschenbrenner	Doze	Mason	Schmidt
Baldwin	Elthon	Meyer	Shangle
Beardsley	Fisch	Millhone	Shaw
Bell of Crawford	Goetsch	Moore	Stanley
Bell of	Grunewald	Mullaney	Stevens of
Des Moines	Hopkins	Parker	Decatur
Billingsley	Hush	Patterson	Stevens of
Calhoun	Irwin	Pendray	Wapello
Corwin	Knudson	Reese	Valentine
Dewey	Malone	Roelofs	Wilson

Nays, none.

Absent or not voting, 13:

Anderson	Donohue	Harrington	McArthur
Berg	Driscoll	Husted	Miller
Byers	Geske	Kimberly	Nelson
Chrystal			

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

By unanimous consent granted Senator Shangle, House File 63, a bill for an act to amend section six hundred seventy-six (676), Code, 1931, relating to registration of voters, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

In view of extended discussion and requests for time to further study House File 63, consideration thereof was terminated and the bill was ordered placed on the calendar as "unfinished business."

Senator Fisch was granted unanimous consent to return to introduction of bills.

INTRODUCTION OF BILLS

Senate File 323, by committee on claims, a bill for an act to make an appropriation to John H. Mitchell and Garritt E. Roelofs.

The bill was read first and second times and referred to the committee on appropriations.

The following concurrent resolution was filed:

SENATE CONCURRENT RESOLUTION 17

Whereas, The M. and St. L. Ry. lines have for many years been a unified, independent railway system with sixteen hundred (1600) miles of trackage, more than a thousand (1000) miles of which are located within the state of Iowa, and

Whereas, Said system for many years has furnished the cities and towns located on its lines, and the territory tributary thereto with transportation service of a quantity and kind to satisfy its patrons, and

Whereas, In common with many other railway systems, due to the universal business depression, said M. and St. L. railway has been in such financial straits as to require that it be placed under a receivership, and

Whereas, Under direction of the court the receivers have greatly improved the road bed and rolling stock and increased the weight of the rails and the said railway is now better equipped, from a physical standpoint than ever before to render efficient and satisfactory service to its patrons, and

Whereas, The present reorganized management of said M. and St. L. railway, by its skillful, practical and business-like management, have so greatly increased the tonnage and the income of said railway by a monthly progressive increase, that with the return of normal times, now in the offing, said increase bids fair to make said railway self-supporting and profitable, and

Whereas, There is a movement being agitated to break up said railway system into nine (9) fragments and parcel these fragments among eight (8) other railway systems, some of which are themselves in such serious financial straits that they are not warranted in taking over any new burdens or purchases, and

Whereas, It is planned to sacrifice the M. and St. L. system, with its valuable properties including terminal facilities owned and controlled by it in the Twin Cities valued up to one hundred million (100,000,000) dollars, along with the interests of its stockholders and bondholders by selling the same to the aforesaid eight (8) railroads for the pitiful sum of seven million two hundred thousand (7,200,000) dollars, which the RFC proposes to loan to the said eight (8) railroad systems for the purpose of making said purchase, and

Whereas, The dismemberment of said M. and St. L. railway as proposed would spell disaster to the commercial, industrial, agricultural and labor interests of the cities and towns of the state along the line of said railway and the territory tributary thereto and sacrifice the jobs of the employees of said railway to the number of several thousand, many of whom have spent the greater part of a lifetime in its service, and

Whereas, There is nothing in the situation that requires this wholesale destruction of the future growth in the population, business, and commercial interests of the cities and towns that by their support and patronage have builded and created the M. and St. L. railway systems, and

Whereas, The loaning of this seven million two hundred thousand (7,200,000) dollars to a reorganization group, headed by those now in charge of said railway will give it a permanent future as an independent, unified and profitable railway system, and conserve the interests and growth of the cities and towns along the lines of said railway, and the welfare of the employees of said railway, as well as promote the adjustment and payment of the debts of said railway, therefore,

Be It Resolved by the Senate, the House concurring: That we memorialize the Interstate Commerce Commission, the RFC, the Iowa Railway Commission, and any other authority that has any power in this matter to oppose and prevent the dismemberment of the M. and St. L. railway and to put forth every legitimate effort to reorganize said railway under its

present management as a permanent, unified and independent railway system upon such terms as will promote the adjustment and payment of its debts and conserve the best interests of its thousands of employees, its stockholders, the cities and towns located along its lines and the territory tributary thereto from which it obtains its patronage.

Be It Further Resolved: That copies of this resolution be transmitted to the Interstate Commerce Commission, the RFC and the Iowa Railway Commission.

REPORTS OF COMMITTEES

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File 155, a bill for an act to amend section fifty-six hundred ninety-four (5694) of chapter two hundred eighty-seven (287), Code, 1931, relating to the chief of fire department in cities under the manager plan, begs leave to report it has had the same under consideration and recommends the same do pass. GEORGE A. WILSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File 161, a bill for an act to regulate the exhibitions of motion pictures in theatres, places of amusement, and public buildings, and to provide for the protection and safety of patrons and employees, and to prescribe methods for fire prevention in connection with the use of motion picture machines and prescribing a penalty for the violation thereof, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

GEORGE A. WILSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File 207, a bill for an act to amend section six thousand two hundred eleven (6211), Code, 1931, relating to the power of any city or town to levy annual taxes for particular purposes, begs leave to report it has had the same under consideration and recommends the same do pass.

GEORGE A. WILSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File 216, a bill for an act to amend section fifty-six hundred sixty-four (5664) of the Code of Iowa of 1931 providing for compensation of councilmen, begs leave to report it has had the same under consideration and recommends the same do pass.

GEORGE A. WILSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File 246, a bill for an act to amend section fifty-four hundred fifty-seven (5457), Code, 1931, relating to the transfers of moneys from the domestic animal fund, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Strike from lines 4 and 5 of section one (1) the words and figures "seventy-five thousand (75,000) and less than eighty-five thousand (85,000)" and insert in lieu thereof the words and figures "forty thousand (40,000)."

GEORGE A. WILSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File 266, a bill for an act to amend section forty-seven hundred fifty-five-b four (4755-b4), Code, 1931, as amended by chapter forty-eight (48), acts of the Forty-fifth General Assembly, Extraordinary Session, relating to the use and transfer of funds from the primary road fund and providing for the allocation of the same to the secondary road construction fund and to cities and towns upon the ratio as the total mileage in the secondary road system bears to the total mileage computed by adding the mileage in streets and roads in cities and towns to the total mileage of roads in the secondary road system and the balance remaining in said fund so transferred from the primary road fund shall be allocated to cities and towns upon the basis that the mileage in streets and roads in cities and towns shall bear to the total mileage therein added to the mileage in the secondary road system, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

GEORGE A. WILSON, *Chairman.*

Ordered passed on file.

Senator Geske submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File 174, a bill for an act to amend section eleven thousand seven hundred eighty-four (11784), Code, 1931, relating to redemption from execution sale by the title holder and to provide for the making of such redemption by the surrender of the sheriff's certificate, begs leave to report it has had the same under consideration and recommends the same do pass.

M. X. GESKE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File 184, a bill for an act to make permanent a temporary transfer made January 9, 1934, by authority of the state comptroller of Iowa, of eleven thousand (11,000) dollars from the court expense fund

of Clayton county, Iowa, to the poor fund of said county, begs leave to report it has had the same under consideration and recommends the same do pass.

M. X. GESKE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File 185, a bill for an act to make permanent a temporary transfer made December 31, 1932, by authority of the state comptroller of Iowa, of nine thousand three hundred (9,300) dollars from the court expense fund of Clayton county, Iowa, to the poor fund of said county, begs leave to report it has had the same under consideration and recommends the same do pass.

M. X. GESKE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File 210, a bill for an act to extend the term of office of L. J. Sigwarth, member of the board of supervisors of Dubuque county, Iowa, one (1) year so that said term will expire on the second secular day of January, 1939, begs leave to report it has had the same under consideration and recommends the same do pass.

M. X. GESKE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File 238, a bill for an act to repeal the law as it appears in section twelve thousand six hundred forty-four-c fourteen (12644-c14), Code, 1931, and to enact a substitute therefor relating to the investment of funds of veterans under guardianship, begs leave to report it has had the same under consideration and recommends the same do pass.

M. X. GESKE, *Chairman*.

Ordered passed on file.

Senator Knudson submitted the following report:

MR. PRESIDENT: Your committee on insurance to which was referred Senate File 195, a bill for an act to amend section nine thousand eighteen (9018) of the Code, 1931, relating to the standard form of fire insurance policy which may be lawfully issued in this state; to provide that the insurer shall be liable for the full amount for which said property is insured, in case of total loss or a proportionate amount thereof, in case of partial loss; to amend chapter four hundred four (404) of the Code, 1931, by adding thereto section nine thousand eighteen-a one (9018-a1), providing that the insurer shall cause any structure, etc., begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

IRVING H. KNUDSON, *Chairman*.

Ordered passed on file.

Senator Pendray submitted the following report:

MR. PRESIDENT: Your committee on public schools to which was referred Senate File 205, a bill for an act to amend sections forty-two hundred thirty-seven (4237), forty-two hundred ninety-eight (4298) and forty-three hundred two (4302), Code, 1931, relating to the discharge of school teachers, the subpoenaing of witnesses and appeals from decisions of boards of directors, begs leave to report it has had the same under consideration and recommends the same do pass.

CAROLYN C. PENDRAY, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend the committee amendment on Senate File 37, found on page 525, Senate Journal, March 18th, by adding the following:

"Sec. 2. That the law as it appears in section seventy-nine hundred seventy-two (7972) of the Code, 1931, be amended by inserting after the word "cupola" in line 19 the following: "desk, desk seat and lamps, these to be conveniently located, with lamp or lamps shaded and of at least sixteen (16) candle power,".

GEO. M. HOPKINS.

Amend Senate File 135, section one (1), by inserting after the comma in line 7, the following: "and to reimburse any corporation so organized for the full amount of any assessments shown by them to have heretofore been paid in satisfaction of assessments for primary road improvement,".

I. G. CHRYSTAL.

Amend Senate File 159, section five (5), by striking the word "one" in line 4, and inserting in lieu thereof the word "three." H. C. BAEDWIN.

Amend section sixteen (16) of Senate File 320 by inserting the words "Lamoni Chronicle" in the blank in line 4, and by inserting the word "Lamoni" in the blank in line 5.

FRANK M. STEVENS.

On motion of Senator Schmidt, the Senate adjourned until 10:00 a. m., Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 27, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. G. W. Robinson, pastor of the Corinthian Baptist church of Des Moines.

The Journal of March 26, 1935, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator McArthur for the day, on request of Senator Nelson.

PETITIONS AND MEMORIALS

The following petitions favoring the tax on the so-called "chain stores" doing business in the state were received and filed to be referred to the committee on cities and towns:

Senator Bell of Des Moines, from residents of Des Moines county; Senator Stevens of Wapello, from residents of Wapello county; Senator Anderson, from residents of Webster county; Senator Driscoll, from residents of Lee county; Senator Byers, from residents of Linn county; Senator Roelofs, from residents of Sioux, O'Brien, and Lyon counties; Senator Shaw, from residents of Buena Vista county.

The following petitions opposing Senate File 283, were received and filed, to be referred to the committee on state planning:

Senator Anderson, from residents of Webster county; Senator Baldwin, from residents of Dubuque county; Senator Chrystal, from residents of Sac county.

The following petitions favoring House File 246, were received and filed, to be referred to the committee on highways:

Senator Billingsley, from residents of Jasper county; Senator Stevens of Wapello, from residents of Wapello county.

The following petitions were received and filed, to be referred to the designated committees:

Senator Bell of Des Moines, from residents of Des Moines county, opposing the tax on the so-called "chain stores" doing business in the state. Committee on cities and towns.

Senator Shaw, from residents of Buena Vista county, opposing bill to banish benevolent societies in Iowa. Committee on insurance.

Senator Hopkins, from residents of Audubon county, opposing Senate File 156. Committee on state planning.

Senator Reese, from residents of Marshall county, opposing the basic science bill. Committee on public health.

INTRODUCTION OF BILLS

Senate File 324, by committee on state planning, a bill for an act to create a state planning board, to prescribe its powers and duties, and the powers and duties of public officers with reference to said board, and to amend section three hundred two (302), Code, 1931.

The bill was read first and second times and placed on the calendar.

Senate File 325, by committee on departmental affairs, a bill for an act to amend section twenty-two (22), chapter nineteen (19), acts of the Forty-fifth General Assembly in Extraordinary Session, relating to the time of commencing old age assistance payments; also making the revenue provided by the 1935 per capita levy, under the provisions of section thirty-four (34) of said act, available prior to July 1, 1935.

The bill was read first and second times and placed on the calendar.

Senate File 326, by committee on departmental affairs, a bill for an act to transfer from the auditor of state to the secretary of state the powers, duties, and responsibilities provided by chapter three hundred ninety-two (392), Code, 1931, relating to the sale of stock on installment plan.

The bill was read first and second times and placed on the calendar.

Senate File 327, by committee on departmental affairs, a bill for an act to amend chapter nine (9), Code, 1931, relating to the general land office of the state of Iowa; the duties of the secretary of state in relation thereto; the transfer of certain maps, records and surveys thereto; and the preservation of records therein.

The bill was read first and second times and placed on the calendar.

Senate File 328, by committee on emergency legislation, a bill for an emergency act prohibiting the levy, on real estate, prior to March 1, 1937, of general executions for the collection of money, and to this end to amend section eleven thousand six hundred forty-nine (11649), Code, 1931.

The bill was read first and second times and placed on the calendar.

Senate File 329, by committee on aeronautics, a bill for an act to amend sections eighty-three hundred thirty-eight-c two (8338-c2) and eighty-three hundred thirty-eight-c seven (8338-c7), Code, 1931, and section one (1), chapter one hundred eighty-three (183), acts of the Forty-fifth General Assembly, relating to the powers of the commission of aeronautics and the erection of objects or structures near certain airports.

The bill was read first and second times and placed on the calendar.

Senate File 330, by committee on county and township affairs, a bill for an act to amend section seventy-one hundred sixty-four (7164), Code, 1931, relating to the computation of the rate of taxation.

The bill was read first and second times and placed on the calendar.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had signed Senate File 150, on March 25, 1935.

HOUSE FILE 44 PLACED ON CALENDAR

House File 44, a bill for an act to amend section ten hundred forty-three (1043), Code, 1931, relative to costs of contesting elec-

tion of county officers, with report of committee recommending indefinite postponement, was taken up and considered.

The bill was read for information.

Senator Shangle moved that the committee report be adopted.

The chair called for a division of the vote and announced the motion was lost. The committee report was rejected and House File 44 was ordered placed on the calendar.

SENATE FILE 26 MADE SPECIAL ORDER

Unanimous consent was granted Senator Millhone that Senate File 26 be made a special order of business for Monday, April 1, at 11:00 a. m.

SENATE FILE 27 WITHDRAWN

By unanimous consent granted Senator Millhone, Senate File 27 was withdrawn from further consideration by the Senate.

HOUSE FILE 79 MADE SPECIAL ORDER

By unanimous consent granted Senator Berg, House File 79 was made a special order of business for Wednesday, April 3, at 10:30 a. m.

ACTION ON HOUSE FILE 63 DEFERRED

Senator Berg was granted unanimous consent that the rules be suspended, action on House File 63 deferred, and the bill ordered to retain its place on the calendar.

Senator Beardsley was called to the chair at 10:30 a. m.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 42, a bill for an act relating to child labor laws and to prevent juvenile labor in places operating under public license.

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

House File 66, a bill for an act defining agricultural lands and providing for the taxation thereof in independent school districts.

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

House File 122, a bill for an act relating to city or town halls and providing for joint ownership with townships.

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

House File 123, a bill for an act relating to the location, construction and joint ownership of township halls.

Also: That the House has concurred in the Senate amendments and passed the following bill in which the concurrence of the House was asked:

House File 141, a bill for an act to legalize the compensation paid as salaries to public officials under the provisions of chapter eighty-nine (89) of the acts of the Forty-fifth General Assembly.

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

House File 203, a bill for an act relating to practice of dentistry or dental hygiene, regulations governing the department of health and the commissioner of public health relative thereto.

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

Senate Concurrent Resolution 14, memorializing the President of the United States and the Congress of the United States with reference to th program of rehabilitation, to include therein a small farm plan to be financed upon easy terms of payment for actual farmers.

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

Senate File 15, a bill for an act relating to permits for refund of motor vehicle fuel license fees.

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

Senate File 115, a bill for an act to provide a system for the propagation, protection, development and use of outdoor resources.

VIRGIL LEKIN, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 115

1. Amend section one (1) by adding after the period in line 18 the following: "Not more than one (1) of such commissioners shall reside in the same congressional district."

2. Insert after section one (1) of the original bill the following section:
"Sec. 2. No member, officer or employee of the commission shall, directly or indirectly, exert his influence to induce any other officers or employees of the state to adopt his political views, or to favor any particular candidate for office, nor shall such member, officer or employee contribute in any manner, directly or indirectly, any money or other things of value to any person, organization or committee for political campaign or election purposes. Any person violating this section shall be guilty of a misdemeanor, and shall be punished by a fine of not more than one hundred (100) dollars or by imprisonment in the county jail for not

more than thirty (30) days, and shall be removed from his office or position."

3. Amend section three (3) of the original bill by striking the word "no" in the second line thereof; also, by striking the word "but" in the third line and inserting in lieu thereof the following:

"at the rate of seven (7) dollars and fifty (50) cents per day but not to exceed one thousand (1000) dollars each in any one year and."

4. Amend section seven (7), line 3, by striking the words "fixed by the commission" and inserting in lieu thereof the following: "not to exceed thirty-five hundred (3500) dollars per year"; also line 9, by striking the word "and" following the word "commission"; also line 25, by striking the word "necessary" and inserting in lieu thereof the word "incidental."

5. Amend section eight (8) by striking from line 19 the second word "necessary" and inserting in lieu thereof the word "incidental"; also amend said section by adding thereto the following:

"The salaries of the state conservation officers shall not exceed fifteen hundred (1500) dollars per year."

6. Amend section nine (9) by striking from line 2 the word "biology" and inserting in lieu thereof the words "fish and game."

7. Amend section twelve (12) by striking from line 8 the word "biology" and inserting in lieu thereof "fish and game."

8. Amend section fourteen (14) by striking the period at the end of line 12 and adding the following:

"provided, however, that the commission shall make no rule protecting foxes or rabbits, except on state owned land or on a game management area."

9. Insert after section sixteen (16) of the original bill the following section:

"Sec. 17. Nothing in this act shall be construed to give to any employee of the state conservation commission both mileage and expenses for the same trip other than incidental expenses."

10. Beginning with section two (2) of the original bill renumber the sections.

THIRD READING OF BILLS

Senate File 68, a bill for an act to amend section eleven thousand seven hundred thirty-two (11732), Code of 1931, relating to plan of division of land at execution sale, was taken up and considered.

The bill was read for information.

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

AFTERNOON SESSION

Having recessed until 1:30 p. m. the Senate reconvened, Senator Beardsley presiding.

COPIES SENATE FILE 320 ORDERED

By unanimous consent granted Senator Fisch, it was ordered that 600 copies of Senate File 320 be printed.

CONSIDERATION OF SENATE FILE 68 RESUMED

The Senate resumed its deliberation on Senate File 68.

Senator Elthon offered the following amendment and moved its adoption:

Amend Senate File 68 by inserting before the first word "That" in line 1 thereof, the words and figure "Section one (1)."

Further amend by adding as a new paragraph the following:

"Sec. 2. Section eleven thousand seven hundred thirty-two (11732) of the Code of Iowa, 1931, is further amended by inserting after the word 'plan' in line 3 thereof the following:

'approved by a judge of the district court.'

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 20:

Anderson	Fisch	Knudson	Patterson
Aschenbrenner	Goetsch	Mason	Reese
Dewey	Hopkins	Meyer	Shangle
Doze	Hush	Miller	Stevens of
Driscoll	Husted	Nelson	Decatur
Elthon			

Nays, 19:

Beardsley	Donohue	Millhone	Shaw
Berg	Grunewald	Moore	Stanley
Billingsley	Harrington	Mullaney	Stevens of
Byers	Irwin	Parker	Wapello
Calhoun	Malone	Roelofs	Valentine

Absent or not voting, 11:

Baldwin	Chrystal	Kimberly	Schmidt
Bell of Crawford	Corwin	McArthur	Wilson
Bell of Des Moines	Geske	Pendray	

The motion prevailed and the amendment was adopted.

Senator Hopkins moved the previous question, which motion prevailed.

Senator Mullaney raised the point of order that the previous question had been moved and that discussion of the bill was out of order. The chair sustained the point.

Senator Shangle moved that the reading just had be considered

the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 18:

Anderson	Chrystal	Goetsch	Mullaney
Aschenbrenner	Dewey	Hush	Reese
Bell of	Doze	Knudson	Shangle
Des Moines	Driscoll	Mason	Stevens of
Billingsley	Elthon	Meyer	Decatur

Nays, 24:

Beardsley	Grunewald	Miller	Roelofs
Berg	Harrington	Millhone	Shaw
Byers	Hopkins	Moore	Stanley
Calhoun	Husted	Nelson	Stevens of
Corwin	Irwin	Parker	Wapello
Donohue	Malone	Patterson	Valentine
Fisch			

Absent or not voting, 8:

Baldwin	Geske	McArthur	Schmidt
Bell of Crawford	Kimberly	Pendray	Wilson

Rule 8 was invoked.

The bill, as amended, having failed to receive a constitutional majority, was declared to have failed to have passed the Senate.

House File 1, a bill for an act to repeal section twelve thousand three hundred and seventy-seven (12377), Code, 1931, relating to general execution for balance, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Billingsley offered the following amendment and moved its adoption:

Amend House File 1 as follows:

Strike all after section one (1) and insert in lieu thereof the following:

"Sec. 2. That section ten thousand nine hundred forty-two (10942), Code, 1931, be amended by striking therefrom all of said section after the period after the word 'proceedings' in line 4 thereof, and that the following be inserted in lieu thereof: 'An action can not be prosecuted or any judgment hereafter entered on any bond or note alone, nor alone on any extension or assumption agreement thereof, which is or has at any time been secured by a real estate mortgage or deed of trust.'

"Sec. 3. Section twelve thousand three hundred seventy-five (12375), Code, 1931, is hereby repealed.

"Sec. 4. All acts, or parts of acts, and all provisions of the Code of Iowa, or of any section or part of a section thereof, in conflict with this act are hereby repealed.

"Sec. 5. This act being deemed of immediate importance, shall become effective from and after its publication in the Newton Daily News, a newspaper published in Newton, Jasper county, Iowa, and in the Nevada Journal, a newspaper published at Nevada, Iowa."

Senator Donohue raised the point of order that the proposed amendment contained entirely new subject matter, not germane to House File 1, and therefore was out of order as an amendment to the bill.

The chair ruled that the point of order was well taken.

HOUSE MESSAGES CONSIDERED

House File 42, a bill for an act to amend chapter seventy-six (76), Code, 1931, relating to child labor laws and to prevent the employment of juvenile labor in places operating under public license.

The bill was read first and second times and referred to committee on labor.

House File 66, a bill for an act to amend chapter two hundred twenty-seven (227), Code, 1931, relating to school taxes and defining agricultural lands and providing for the taxation thereof in independent school districts.

The bill was read first and second times and referred to committee on public schools.

House File 122, a bill for an act to amend section fifty-seven hundred seventy-three (5773), Code, 1931, relating to city or town halls and providing for joint ownership with townships.

The bill was read first and second times and referred to committee on county and township affairs.

House File 123, a bill for an act to amend sections fifty-five hundred seventy-seven (5577), fifty-five hundred seventy-eight (5578) and fifty-five hundred seventy-nine (5579), Code, 1931, relating to the location, construction or purchase, and joint ownership of town halls.

The bill was read first and second times and referred to committee on county and township affairs.

House File 203, a bill for an act to amend section two thousand

four hundred forty-seven (2447), Code of Iowa, 1931, so it shall not apply to dentists and dental hygienists; and to amend section two thousand four hundred ninety-two (2492), Code of Iowa, 1931, so it shall not permit acts of unprofessional conduct by dentists and dental hygienists; and to amend section two thousand four hundred ninety-three (2493), Code of Iowa, 1931, so as to include other acts of unprofessional conduct on the part of dentists and dental hygienists as hereinafter provided; and to amend chapter one hundred twenty-one (121), Title VIII, Code of Iowa, 1931, by adding thereto provisions for the expiration and renewal of licenses to practice dentistry or dental hygiene, regulations governing the department of health and the commissioner of public health relative thereto, appeal from orders of the commissioner of public health rejecting applications for renewal of such licenses, reinstatement of such former licensees whose licenses have lapsed or not been renewed, the revocation of such licenses, the defining of acts by dentists and dental hygienists which shall be "unprofessional conduct," the repeal of any acts in conflict herewith, the result of any portion of this act being unconstitutional or invalid and that this act being of immediate importance shall be effective upon publication as provided by law.

The bill was read first and second times and referred to committee on public health.

SENATE FILE 168 MADE SPECIAL ORDER

By unanimous consent granted Senator Calhoun, it was ordered that Senate File 168 be made a special order of business for Wednesday, April 3, to follow the disposition of House File 79.

CALL OF THE SENATE FILED

We, the undersigned, request a call of the Senate on House File 1.

LEO ELTHON.

CHRIS REESE.

C. E. MALONE.

HOMER HUSH.

I. G. CRYSTAL.

J. W. BILLINGSLEY.

T. W. MULLANEY.

H. D. MILLER.

T. F. DRISCOLL.

CARL ASCHENBRENNER.

J. BERG.

PAUL H. ANDERSON.

A. J. SHAW.

REPORTS OF COMMITTEES

Senator Mullaney submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File 16, a bill for an act to authorize the appointment of the county treasurer as receiver of the rents, issues and profits and income of real estate in order to satisfy the taxes which have been levied on or which are a lien on such real estate and to fix and prescribe the duties of certain officers with reference to said proceedings, begs leave to report it has had the same under consideration and returns the bill without recommendation.

T. W. MULLANEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File 128, a bill for an act to amend Section sixty-two hundred thirty-eight (6238) of the Code of Iowa, in so far as relates to indebtedness of counties for poor relief purposes, begs leave to report it has had the same under consideration and returns the bill without recommendation.

T. W. MULLANEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File 230, a bill for an act to amend chapter three hundred eighty-three (383) of the Code of Iowa 1931, to provide for the establishment and regulation of service rates of electric light and power companies; to provide for continuous service; to provide for testing meters; to prescribe the duties and liabilities of public light and power companies; and to provide for the regulation of all public light and power companies, begs leave to report it has had the same under consideration and recommends the same do pass.

T. W. MULLANEY, *Chairman.*

Ordered passed on file.

Senator Shaw submitted the following report:

MR. PRESIDENT: Your committee on railroads and aeronautics to which was referred Senate File 106, a bill for an act to amend section one (1) of chapter one hundred eighty-three (183), acts of the Forty-fifth General Assembly, relating to nuisances and to provide that any object or structure hereafter erected within one thousand (1000) feet of the limits of any regularly established airport or landing place, which may endanger or obstruct aerial navigation, including take-off and landing, is a nuisance, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

A. J. SHAW, *Chairman.*

Ordered passed on file.

Senator Bell of Des Moines submitted the following report:

MR. PRESIDENT: Your committee on manufacturing, commerce and trade to which was referred Senate File 222, a bill for an act to protect trademark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a distinguished trademark, brand or name, begs leave to report it has had the same under consideration and recommends the same do pass.

JAMES M. BELL, *Chairman.*

Ordered passed on file.

Senator I. G. Chrystal submitted the following report:

MR. PRESIDENT: Your committee on conservation to which was referred Senate File 152, a bill for an act relating to the disposal of sewage, offal, and filth adjacent to state-owned lakes, and prescribing certain restrictions pertaining thereto, begs leave to report it has had the same under consideration and recommends the same do pass.

I. G. CHRYSTAL, *Chairman.*

Ordered passed on file.

Senator Hush submitted the following report:

MR. PRESIDENT: Your committee on board of control and public welfare to which was referred Senate File 6, a bill for an act to amend sections thirty-two hundred ninety-d one (3290-d1) and thirty-nine hundred forty-four-d one (3944-d1), Code, 1931, relating to expenditures for fire protection at certain state institutions, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

HOMER HUSH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on board of control and public welfare to which was referred House File 27, a bill for an act to amend chapter five hundred ninety-six (596) of the Code, 1931, relating to the "desecration of the Sabbath", begs leave to report it has had the same under consideration and recommends the same do pass.

HOMER HUSH, *Chairman.*

Ordered passed on file.

Senator Roy E. Stevens submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 248, a bill for an act to make an appropriation for the emergency needs of distressed school districts and to provide for the manner of expenditures of said funds begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 303, a bill for an act to make an appropriation to Craig Miller, begs leave to report it has had the same under consideration and recommends the same do pass. ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 304, a bill for an act to make an appropriation to Ralph Foster, begs leave to report it has had the same under consideration and recommends the same do pass. ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 305, a bill for an act to make an appropriation to Robert Hall, the Anderson Auto Exchange, and Roy Veldhuizen, begs leave to report it has had the same under consideration and recommends the same do pass. ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 306, a bill for an act to make an appropriation to C. A. Lenz, begs leave to report it has had the same under consideration and recommends the same do pass. ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 307, a bill for an act to make an appropriation to E. A. Summerville, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 308, a bill for an act to make an appropriation to Lee Hurlburt, begs leave to report it has had the same under consideration and recommends the same do pass. ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was

referred Senate File 309, a bill for an act to make an appropriation to James Knox, begs leave to report it has had the same under consideration and recommends the same do pass. ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 310, a bill for an act to make an appropriation to Ethel Conner Carlson, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 311, a bill for an act to make an appropriation to H. J. Goerner, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 312, a bill for an act to make an appropriation to J. T. Davenport, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 313, a bill for an act to make an appropriation to W. B. King, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 314, a bill for an act to make an appropriation to Muscatine county, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 315, a bill for an act to make an appropriation

to Herman Jordan and Will Ager, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 316, a bill for an act to make an appropriation to Doris Sovereign and W. H. Bongartz, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 317, a bill for an act to make an appropriation to Charles Hazen, J. F. Hollingsworth, O. P. M. Criley, and the Sunshine Store, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 318, a bill for an act to make an appropriation to John F. Fischer, begs leave to report it has had the same under consideration and recommends the same to pass.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 319, a bill for an act to make an appropriation to A. C. Green and Hans Boeck, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 321, a bill for an act to amend chapter six hundred sixteen-d one (616-d1), Code, 1931, as amended by the acts of the Forty-fifth General Assembly, Extraordinary Session, relating to Iowa police radio system and to provide an appropriation thereto, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 323, a bill for an act to make an appropriation to John H. Mitchell and Garritt E. Roelofs, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 156 as follows:

By striking the word daily in line 8 of section one (1), and inserting in lieu thereof the word "ten";

By striking the figures "thirty thousand", in line 9, of section one (1), and inserting in lieu thereof the figures "ten thousand";

Further amend by striking the word "immediate", from line 13, of section one (1);

Further amend by striking the word "this", in line 9, of section two (2), and insert in lieu thereof the word "his";

Further amend by inserting following the word "purchasing", in line 3, of section four (4) the following:

"Except by public auction."

Further amend by striking the word "thirty", in line 3, of section five (5), and inserting in lieu thereof the word "fifty."

Further amend by striking the figures "thirty thousand", in line 30, of section five (5), and insert in lieu thereof the figures "fifty thousand."

Further amend by striking the period following the word "public" in line 13, of section six (6), and insert in lieu thereof a comma, and add the following:

"Or value to the producer."

Further amend section ten (10), by adding a comma following the word "buyer", in line 5, and striking the remainder of the line and all of line six (6) and seven (7).

IRVING H. KNUDSON.

L. H. MEYER.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 28, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Levi P. Goodwin, pastor of the Wesley Methodist Episcopal church of Des Moines.

The Journal of March 27, 1935, was approved.

PETITIONS AND MEMORIALS

The following petitions were received and filed to be referred to the designated committees:

Senator Dewey, from residents of Henry county, opposing bill to legalize gambling or lottery in Iowa. Committee on state planning.

Senator Stevens of Decatur, from residents of Decatur, Ringgold and Union counties, opposing Senate File 156. Committee on state planning.

Senator Aschenbrenner, from residents of Marion county, opposing Senate File 156. Committee on state planning.

Senator Byers, from residents of Linn county, opposing Senate File 163. Committee on motor vehicles.

Senator Baldwin, from residents of Dubuque county, favoring Senate File 163. Committee on motor vehicles.

Senator Baldwin, from residents of Dubuque county, opposing Senate File 283. Committee on state planning.

INTRODUCTION OF BILLS

Senate File 331, committee on emergency legislation, a bill for an act to amend section ten thousand nine hundred forty-two (10942), Code, 1931, and to repeal section twelve thousand three hundred seventy-five (12375), Code, 1931, relating to suits

on bonds or notes secured by real estate mortgages or deed of trust.

The bill was read first and second times and placed on the calendar.

Senate File 332, by committee on conservation, a bill for an act to declare certain acts to be nuisances and to this end to amend section twelve thousand three hundred ninety-six (12396), Code, 1931, as amended by chapter one hundred eighty-three (183), acts Forty-fifth General Assembly.

The bill was read first and second times and placed on the calendar.

Senate File 333, by committee on highways, a bill for an act to amend chapter two hundred fifty-one (251), Code of Iowa, 1931, and to regulate the custody of motor vehicle license fees going to the primary road fund.

The bill was read first and second times and placed on the calendar.

Senate File 334, by committee on highways, a bill for an act to authorize and direct the state highway commission to make examination of all railroad crossings on secondary roads in each county, to make a report thereon, to make recommendations as to which crossings should be eliminated by relocation of the highway, or vacation of the crossing, or separation of grades, and as to which crossings would be protected with lights or other protective devices and to authorize action to be taken in conformance with such recommendations.

The bill was read first and second times and placed on the calendar.

Senate File 335, by committee on highways, a bill for an act to repeal sections four thousand seven hundred fifty-five-b twenty-one (4755-b21) to four thousand seven hundred fifty-five-b twenty-five (4755-b25) of the Code of Iowa, 1931, relating to the refunding of primary road paving assessments to terminate claims for such primary road paving assessment refunds, to dispose of unexpended balances in the primary road paving assessment reimbursement funds in the various counties, and to provide for

the payment of all outstanding primary road paving assessment certificates or bonds.

The bill was read first and second times and placed on the calendar.

SENATE CONCURRENT RESOLUTION 17 ADOPTED

Senator Shangle called up for consideration Senate Concurrent Resolution 17, as found on page 624 of the Senate Journal.

On motion of Senator Shangle, the concurrent resolution was adopted.

SENATE CONCURRENT RESOLUTION 17 MESSAGED TO HOUSE

Senator Shangle was granted unanimous consent that the rules be suspended and Senate Concurrent Resolution 17 be messaged to the House immediately.

SENATE FILE 151 PLACED ON CALENDAR

By unanimous consent granted Senator Husted, it was ordered that Rule 35 be invoked and Senate File 151 be placed on the calendar.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 15.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File 15.

THIRD READING OF BILLS

The proper time having arrived, Senate File 176, a bill for an act relating to the duration of judgments rendered solely on promissory obligations secured by mortgage or deed of trust of real estate, without foreclosure against said security, was taken up and considered.

The bill was read for information.

By unanimous consent granted Senator Billingsley, action on Senate File 176 was temporarily deferred to be resumed after the final consideration of Senate File 156.

SENATE FILE 133 MADE SPECIAL ORDER

Senator Bell of Des Moines requested unanimous consent to have Senate File 133 made a special order of business for Friday, April 5, at 10:30 a. m. Objections were raised and the request was denied.

On motion of Senator Baldwin, Senate File 133 was made a special order of business for Friday, April 5, at 10:30 a. m.

SENATE FILES 198 AND 320 MADE SPECIAL ORDER

By unanimous consent granted Senator Geske, it was ordered that Senate Files 198 and 320 be made special orders of business for Monday, April 8, at 10:30 a. m., in the order named.

MOTION TO RECONSIDER CALLED UP

Senator Wilson called up for consideration his motion to reconsider the vote by which Senate File 107 failed to pass the Senate.

The question was, Shall the vote by which Senate File 107 failed to pass the Senate be reconsidered?

On the question, Shall the vote by which Senate File 107 failed to pass the Senate be reconsidered? the vote was:

Ayes, 45:

Anderson	Doze	Knudson	Reese
Baldwin	Driscoll	Malone	Roelofs
Beardsley	Fisch	Mason	Schmidt
Bell of Crawford	Geske	McArthur	Shangle
Bell of Des Moines	Goetsch	Meyer	Shaw
Berg	Grunewald	Miller	Stanley
Byers	Harrington	Millhone	Stevens of Decatur
Calhoun	Hopkins	Moore	Stevens of Wapello
Corwin	Hush	Mullaney	Valentine
Dewey	Husted	Nelson	Wilson
Donohue	Irwin	Parker	
	Kimberly	Patterson	

Nays, none.

Absent or not voting, 5:

Aschenbrenner	Chrystal	Elthon	Pendray
Billingsley			

The motion having received a majority, the vote was reconsidered.

Senator Wilson raised the point of order that the motion to reconsider the vote on Senate File 107 having prevailed, the bill itself was not a matter for debate. The chair ruled the point was well taken.

Senator Beardsley requested unanimous consent that some member of the appropriations committee explain the bill, which was granted.

The question was, Shall the bill pass?

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

Ayes, 44:

Anderson	Doze	Knudson	Roelofs
Baldwin	Driscoll	Malone	Schmidt
Beardsley	Fisch	Mason	Shangle
Bell of Crawford	Geske	McArthur	Shaw
Bell of	Goetsch	Meyer	Stanley
Des Moines	Grunewald	Miller	Stevens of
Berg	Harrington	Millhone	Decatur
Byers	Hopkins	Moore	Stevens of
Calhoun	Hush	Mullaney	Wapello
Chrystal	Husted	Parker	Valentine
Corwin	Irwin	Patterson	Wilson
Dewey	Kimberly	Reese	

Nays, 1:

Pendray

Absent or not voting, 5:

Aschenbrenner	Donohue	Elthon	Nelson
Billingsley			

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

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 85, a bill for an act relating to the state sinking fund for public deposits.

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

House File 97, a bill for an act relating to all mechanical amusement devices exclusive of those prohibited by law as gambling devices.

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

House File 229, a bill for an act relating to the setting aside of defaults.

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

House File 231, a bill for an act relating to the method of publication of original notices and the form thereof.

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

House File 232, a bill for an act relating to state banks, savings banks, and loan and trust companies.

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

House File 234, a bill for an act relating to the extending of time of pleading.

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

Senate File 20, a bill for an act to establish a board of examiners in the basic sciences, to provide for its organization, powers, duties and compensation, etc.

VIRGIL LEKIN, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 20

Amend Senate File 20 as follows:

1. Section three (3), line 2, by striking the word and figure "five (5)" and inserting in lieu thereof "six (6)."

2. Section six (6), lines 16 and 17, by striking the words "be licensed to engage in the practice of the healing art" and substituting in lieu thereof "hold a degree in any of the healing arts."

3. Section sixteen (16), by striking all of the first sentence and inserting in lieu thereof the following:

"Said board shall meet at Des Moines and there conduct examinations in the basic sciences four (4) times each year respectively, on the second Tuesday in January, April, July and October;" also

Line 20, insert after the period following the word "subjects" the following:

"If an applicant fails to attain the required grade in one or more subjects, he may be re-examined in the subject or subjects in which he failed, at any examination within one year without further application or examination fee."

4. Insert immediately after section twenty (20) the following section:

"Sec. 21. Upon presentation to said board of examiners of a certificate from any college or university accredited by the North Central Association of Secondary Schools and Colleges that the person seeking a certificate of proficiency under the provisions of this act has completed a course of study in one or more of said basic sciences of the number of hours provided for in section sixteen (16) of this act and has attained a grade of

seventy-five (75) per cent in said subject or subjects the said board of examiners shall waive examination in said subject or subjects, and if said applicant shall have completed a course of study in all of said basic sciences of the number of hours provided for herein and has attained an average grade of seventy-five (75) per cent in each of said subjects the board of examiners shall upon receipt of a certificate to that effect setting forth the grades of the applicant in each of said subjects as hereinbefore provided issue to said applicant a certificate of proficiency in the basic sciences as provided for under the Iowa basic science law without further examination."

5. Renumber remaining sections of the bill.

THIRD READING OF BILLS

The proper time having arrived, Senate File 156, a bill for an act to prevent frauds and impositions upon producers, shippers and buyers of livestock, by regulating the practices of buyers thereof, and to provide for: (a) definitions of secretary, livestock, packer, packer buyers, and person, for the purpose of the act; (b) the establishment by the secretary of agriculture of standards for the classification of livestock for commercial purposes; (c) the making and enforcing of rules and regulations by the secretary for securing compliance with said act; (d) making purchases of livestock by reference to such standards; (e) requiring posting and reporting of offers and purchases by packer buyers having a fixed place of business and buying at the rate of thirty thousand (30,000) head a year; (f) prohibiting purchases at different prices than posted; (g) delivery of original and filing of duplicate sales tickets showing detail of purchases; (h) prohibiting allocation of territory among packer buyers, discrimination in prices paid for livestock between persons or places; (i) making punishable false or fictitious charges, fraudulent failures to account or settle for sales, false statements as to market conditions, combinations to fix prices, false report, alterations of sales tickets and other notations of the act; (j) requiring bond from packer buyers for compliance with act and giving direct action thereon, and fixing the time and place, therefor; (k) the construction and interpretation of the act, was taken up and considered.

There being a call of the Senate on file, a roll call revealed all members of the Senate present excepting Senator Aschenbrenner.

Senator Shangle was granted unanimous consent to have Senator Aschenbrenner excused from the call of the Senate, due to

illness, unless the Senator's vote should determine the failure or passage of the bill.

Senator Roelofs offered the following amendment and moved its adoption:

Amend Senate File 156 as follows:

By striking the word "daily" in line 8 of section one (1), and inserting in lieu thereof the word "ten";

By unanimous consent granted Senator Roelofs, the comma following the figure "1" in the amendment offered was changed to a period and the remainder of the amendment was stricken.

The motion prevailed and the amendment, as changed, was adopted.

Senator Roelofs offered the following amendment and moved its adoption:

Amend Senate File 156 by striking the words "thirty thousand" in line 8, section one (1), and inserting in lieu thereof the words "ten thousand", and by striking the figures "thirty thousand" in line 9, of section one (1), and inserting in lieu thereof the figures "ten thousand."

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 39:

Anderson	Doze	Malone	Roelofs
Beardsley	Driscoll	Mason	Schmidt
Bell of Crawford	Elthon	McArthur	Shangle
Bell of	Geske	Meyer	Shaw
Des Moines	Goetsch	Miller	Stanley
Berg	Grunewald	Mullaney	Stevens of
Billingsley	Harrington	Nelson	Decatur
Calhoun	Hush	Parker	Stevens of
Chrystal	Irwin	Pendray	Wapello
Corwin	Kimberly	Reese	Valentine
Dewey	Knudson		

Nays, 1:

Hopkins

Absent or not voting, 10:

Aschenbrenner	Donohue	Millhone	Patterson
Baldwin	Fisch	Moore	Wilson
Byers	Husted		

The motion prevailed and the amendment was adopted.

Senator Roelofs offered the following amendment and moved its adoption:

Further amend Senate File 156 by striking the word "immediate", from line 13, of section one (1);

The motion prevailed and the amendment was adopted.

Senator Roelofs offered the following amendment and moved its adoption:

Further amend Senate File 156 by striking the word "this", in line 9, of section two (2), and insert in lieu thereof the word "his";

The motion prevailed and the amendment was adopted.

Senator Roelofs offered the following amendment and moved its adoption:

Further amend Senate File 156 by inserting following the word "purchasing", in line 3, of section four (4) the following:

"Except by public auction."

The motion prevailed and the amendment was adopted.

Senator Roelofs offered the following amendment and moved its adoption:

Further amend Senate File 156 by striking the word "thirty", in line 3, of section five (5), and inserting in lieu thereof the word "fifty."

Further amend by striking the figures "thirty thousand", in line 30, of section five (5), and insert in lieu thereof the figures "fifty thousand."

Senator Roelofs was granted unanimous consent to change the last portion of the pending amendment to read "line 3" rather than "line 30."

The motion prevailed and the amendment, as changed, was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 156, section five (5), line 6, thereof by inserting the word "such" after the word "every."

The motion prevailed and the amendment was adopted.

Senator Roelofs offered the following amendment and moved its adoption:

Amend Senate File 156, section six (6), line 2 thereof by changing the words "thirty thousand" to "fifty thousand", and changing the figures "thirty thousand" to "fifty thousand."

The motion prevailed and the amendment was adopted.

Senator Roelofs offered the following amendment and moved its adoption:

Further amend Senate File 156 by striking the period following the word "public" in line 13, of section six (6), and insert in lieu thereof a comma, and add the following:

"Or value to the producer."

The motion prevailed and the amendment was adopted.

Senator Roelofs offered the following amendment and moved its adoption:

Further amend Senate File 156 section ten (10), by adding a comma following the word "buyer", in line 5, and striking the remainder of the line and all of line 6 and 7.

Senator Roelofs was granted unanimous consent to change the pending amendment to refer to the "first word 'buyer'" in line 5.

The motion prevailed and the amendment, as changed, was adopted.

Senator Elthon offered the following amendment and moved its adoption:

Amend Senate File 156 by striking in line 7 of section thirteen (13) the word "standard" and the comma following said word.

Further amend section thirteen (13) by inserting after the comma following the word "grade" the word and comma "shrinkage,".

Also, further amend said section by striking in line 8 the words "conditions or quality" and the comma following said words.

The motion prevailed and the amendment was adopted.

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

AFTERNOON SESSION

Having recessed until 1:30 p. m., the Senate reconvened, President N. G. Kraschel presiding.

Roll call revealed that all members of the Senate were present excepting Senators Beardsley, Billingsley and Aschenbrenner.

Senator Aschenbrenner had been excused previously and it was agreed that the discussion of Senate File 156 might proceed, withholding the final vote until Senators Beardsley and Billingsley might return.

CONSIDERATION OF SENATE FILE 156 RESUMED

Senator Kimberly moved the previous question, which motion prevailed.

Senator Roelofs was granted unanimous consent that Senator Beardsley be excused from the roll call, due to illness. Senator Billingsley having appeared in the Senate, the call was declared to be complete.

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

Senator Wilson raised the point of order that a motion to adjourn was not debatable. The chair sustained the point.

Senator Harrington moved, as a substitute motion, that the Senate recess until 4:55 p. m.

Senator Wilson raised the point of order that a motion to recess was not in order with a motion to adjourn before the Senate. The chair ruled the point was well taken.

Roll call was requested.

The question was, Shall the motion to adjourn prevail?

On the question, Shall the motion to adjourn prevail? the vote was:

Ayes, 10:

Berg	Irwin	Shangle	Stanley
Billingsley	McArthur	Shaw	Wilson
Calhoun	Patterson		

Nays, 34:

Anderson	Driscoll	Husted	Pendray
Bell of Crawford	Elthon	Kimberly	Reese
Bell of Des Moines	Fisch	Knudson	Roelofs
Byers	Geske	Mason	Schmidt
Chrystal	Goetsch	Meyer	Stevens of Decatur
Corwin	Grunewald	Moore	Stevens of Wapello
Dewey	Harrington	Mullaney	Valentine
Donohue	Hopkins	Nelson	
Doze	Hush	Parker	

Absent or not voting, 6:

Aschenbrenner	Beardsley	Miller	Millhone
Baldwin	Malone		

The motion to adjourn was lost.

Senator Roelofs offered the following amendment and moved its adoption:

Amend the title to Senate File 156 by striking from line 15 the words and figures "thirty thousand (30,000)" and insert in lieu thereof the words and figures "fifty thousand (50,000)."

The motion prevailed and the amendment was adopted.

Senator Roelofs moved that the reading just had be considered the third reading, and the bill as amended be placed on its passage.

The question is, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 22:

Anderson	Driscoll	Malone	Reese
Bell of Crawford	Elthon	Mason	Roelofs
Bell of Des Moines	Geske	Meyer	Schmidt
Chrystal	Irwin	Miller	Shangle
Doze	Kimberly	Moore	Stevens of
	Knudson	Mullaney	Decatur

Nays, 26:

Baldwin	Donohue	Husted	Shaw
Berg	Fisch	McArthur	Stanley
Billingsley	Goetsch	Millhone	Stevens of
Byers	Grunewald	Nelson	Wapello
Calhoun	Harrington	Parker	Valentine
Corwin	Hopkins	Patterson	Wilson
Dewey	Hush	Pendray	

Absent or not voting, 2:

Aschenbrenner Beardsley

The bill as amended not having received a constitutional majority was declared to have failed to pass the Senate. .

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which Senate File 156 failed to pass the Senate and by which it passed to its third reading.

VINCENT F. HARRINGTON.

REPORTS OF COMMITTEES

Senator McArthur submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred Senate File 189, a bill for an act to amend sections eighty-four hundred sixty-nine (8469) and eighty-four hundred ninety-five (8495), Code, 1931, relating to membership in profit and nonprofit-sharing cooperative associations, begs leave to report it has had the same under consideration and recommends the same do pass.

WM. MCARTHUR, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture to which was referred Senate File 254, a bill for an act to repeal chapter four hundred twenty-

six (426), of the Code of 1931, and to enact a substitute therefor, to provide for the licensing and bonding of warehouses for storage of agricultural products, begs leave to report it has had the same under consideration and recommends the same do pass.

WM. MCARTHUR, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 176 by inserting after the period in line 7 of section one (1) the following:

"Provided, however, that the provisions of this act shall not apply where the parties expressly stipulate otherwise at the time of the execution of the said note and mortgage. E. P. DONOHUE.

Amend Senate File 131 by striking section one (1) and inserting in lieu thereof the following:

"Section 1. Chapter one hundred thirty-eight (138) is hereby amended by adding the following sections of this act.

"Sec. 2. On a petition signed by at least fifty-one (51) per cent of the qualified voters of said county living outside the corporate limits of the cities and towns, a county agricultural extension board shall be established in lieu of the farm aid association which exists prior to the passing of this act. When such action has been taken the county agricultural extension service shall function under the provisions of this act for at least three (3) years. After three (3) years from the establishment of the county agricultural extension service as provided in this act on the petition of at least fifty-one (51) per cent of the qualified voters of said county living outside the corporate limits of cities and towns, a county may qualify for farm aid under chapter one hundred thirty-eight (138) of the Code, 1931, as it existed prior to the passage of this act."

Also amend by renumbering the remaining sections of the bill.

Also to amend the title by striking the word "repeal" in line 1 and substitute in lieu thereof the word "amend," and by striking from line 3 the words "enact a substitute therefor relating to." WM. MCARTHUR.

Amend Senate File 176 by striking all after the period following the figure two "2", line 1, section two (2), and insert in lieu thereof:

"Judgments heretofore rendered or in actions now pending upon promissory obligations secured by mortgage or deed of trust of real estate, and upon which judgments or actions now pending the holder thereof brought suit direct upon the said promissory obligation without a foreclosure against said security, shall have no force or vitality for any purpose other than a set off or counter claim from and after the expiration of two (2) years from the passage of this act and no execution shall be issued thereon.

"Sec. 3. This act, being deemed of immediate importance, shall be in full force and effect after its passage and publication in the Newton Daily News, a newspaper published at Newton, Iowa, and in the Baxter New Era, a newspaper published in Baxter, Iowa."

JOHN W. BILLINGSLEY.

Amend Senate File 144 by adding after the semicolon in line 7, section one (1), the words: "provided, however, that no levy in excess of two and one-half (2½) mills, shall be made without the approval of the state comptroller."

ROY E. STEVENS.

Amend House File 63 by adding thereto the following:

"Sec. 2. Section six hundred seventy-six (676), Code, 1931, is further amended by adding thereto after the word "institution" the following: 'provided that any city having a population of less than ten thousand (10,000) may install and maintain any system of registration authorized by law.'"

J. BERG.

Amend Senate File 228 by striking therefrom all after the enacting clause and by substituting for the matter so stricken the following sections:

"Section 1. This act shall be known as the 'optional county unit school law.'

"Sec. 2. Definitions for the purpose of this act:

a. 'county unit' shall mean and include all school territory brought into the county unit school corporation under and in accordance with the provisions of this act.

b. 'County districts' shall mean the several divisions into which the territory within the county unit is divided for the purpose of electing members of the county board of education.

c. 'Attendance districts' shall mean the several divisions into which the territory within the county unit is divided for the purpose of fixing the attendance areas, and also for the purpose of electing a director from each said districts.

d. 'Non-high school area' shall include the area of all school corporations not directly maintaining public schools which offer at least four years of approved high school work.

e. 'State department' shall refer to the state department of public instruction.

f. 'Board' shall mean the county board of education.

g. 'Superintendent' shall refer to the county superintendent.

h. 'Standardized school' shall mean one which meets the minimum requirements of such a school, as fixed by the state department.

i. 'State aid' refers to the financial aid annually contributed by the state, under the conditions and limitations of this act, for the support and maintenance of the county unit school corporation.

j. 'Budget board' shall mean the state budget board composed of the comptroller, auditor of state and chairman of the state board of assessment and review.

"Sec. 3. By compliance with the provisions of this act all non-high school area now under the supervision of its county superintendent may be organized into a single independent district, to be thereafter known as the county unit school corporation; but no such county unit school corporation shall be so established hereunder unless and until a majority of the electors residing in all such non-high school area shall first vote in favor of the organization of such an independent district and organize as such. Any and all other independent school districts within the county

may, at the same time that the original district is authorized or at any later period, vote to become a part of said county unit school corporation, in which event it shall be merged into such county unit and become entitled to the rights and subject to the regulations thereof. If a majority of those voting at such election shall be in favor of entering, then such merging shall take effect as of July 1st, following such election.

Whenever the county superintendent is presented with a petition signed by fifteen (15) per cent of the electors of the district wishing to be admitted into the county unit (as shown by the returns of the last preceding election) and requesting such admission, the county superintendent shall submit the question at the next general school election to be held in said petitioning district, first giving twenty days' notice thereof in one or more newspapers published in the county, and by posting such notice, written or printed, in three public places within such district, at which election the vote shall be by ballot, for or against the merging of such district into the county unit as a part of the same, using separate ballot boxes, and the vote shall be canvassed and filed in the same manner as are those for county officers.

"Sec. 4. A petition naming the several districts to be originally included within such county unit school corporation and asking for the establishment of such a proposed school corporation, signed by fifteen (15) per cent of the voters residing within the limits of all of the several districts so named, shall first be filed with the county superintendent of said county. The original county unit of any county must include not less than all of the non-high school area.

"Sec. 5. Such petition shall be accompanied by an affidavit showing the number of qualified electors living within the several districts so named in the petition and signed by some qualified electors residing within one of said districts. The affidavit shall be taken as true unless objections to it are filed on or before the time fixed for filing objections as in this act provided.

"Sec. 6. Immediately upon the filing of said petition with the county superintendent, he shall call a special meeting of the county board of education, which special meeting shall be held within ten (10) days thereafter, for the purpose of calling and arranging for an election to vote upon the proposition of whether or not the proposed school corporation should be established.

The county board shall also prepare and have printed a ballot upon which the voter can express his approval of the establishment of such county unit and authorize and empower the board of education to complete all arrangements necessary thereto, which ballot shall be in the following form:

Shall the
(Names of districts listed in the petition)

districts be organized as a county unit of county under the terms and conditions and according to chapter of the Forty-sixth General Assembly of Iowa, and shall the county board of education be empowered to constitute such establishment and obligate the district to the extent necessary to complete the purchases within the valuation fixed by the appraisalment board? Yes (.....) No (.....).

If the majority of the electors voting at such regular or special election favors the establishment of a county unit, it shall then be the duty of said county board of education to:

a. Divide the proposed county unit into not less than four (4) or more than six (6) districts, taking into account the shape of the territory, the condition of the highways, the number and distribution of the residents, the conveniences of the voters and the best interests of the school unit, using the information available and advice given by the state department. These districts shall be so described as to be as nearly equal in area and in population as practicable. Lines dividing said districts shall be, in all instances, co-terminus with the boundary lines of attendance districts.

b. Determine the number of teacher units, according to the standard hereinafter fixed, which determination shall be made a part of its report and become the basis by which to calculate the annual state aid to be paid to such county unit school corporation, which state aid shall thereupon become a fixed and permanent basis except as hereinafter provided.

c. Prepare, in triplicate, a complete written report of said board, and, when so completed, promptly file the same, one (1) copy with the county superintendent, one (1) with the county auditor for the board of supervisors, and one (1) copy with the state department.

These reports of the county board of education, when filed, may be accepted, modified or rejected by the state department, and only after they have been finally approved by such state department by written endorsement thereon shall they be permanently filed in the office of the county superintendent. A copy of such report shall also be sent promptly to the secretary of each school district in the territory proposed to be included within such county unit.

"Sec. 7. The county board of education shall consist of not less than five (5) nor more than seven (7) members to be elected upon a non-partisan basis at the regular school election. One (1) member shall be elected from each county district by a majority vote of the qualified electors of such district voting at such election, and one (1) member-at-large shall be elected by all of the qualified electors of all the school districts under the supervision of the county superintendent of such county voting at such election. If the county unit includes less than the entire county, then such member-at-large shall not be a resident of any district then making up such county unit. He shall be nominated by the qualified electors residing outside of such county unit.

Members of the county board shall serve for a term of three (3) years and until their successors are elected and qualified, except that members of the original board shall serve in the following manner: At the first election in a county unit having four (4) districts the member-at-large shall be elected for one (1) year, the members elected from districts number one (1) and number two (2) for a term of two (2) years, and the members elected from districts numbers three (3) and four (4) for a term of three (3) years, and in a county unit having six (6) districts the member-at-large shall be elected for a period of one (1) year and the members from districts one (1), two (2), and three (3), shall be elected for two (2) years and the members from districts four (4), five

(5), and six (6), for three (3) years. New members shall be elected to fill the offices as they expire. In the event of a vacancy for any cause, the remaining members of the county board shall appoint a qualified person from the same district in which the vacancy occurred to serve until the next regular school election, said appointment to be made upon the recommendation of a majority of the directors from the attendance districts included within the county district in which such vacancy occurred; such recommendation to be binding on the board.

"Sec. 8. The duties and responsibilities of making all necessary and suitable arrangements for the calling and holding of the general, or special, election to be held for the purpose of electing the members of the original county board are hereby placed upon the county superintendent, subject to the approval of the county board of education; and in calling and conducting such election, giving at least twenty (20) days' notice thereof, preparing, printing and distributing the ballots, canvassing the vote and recording the results thereof and in all other particulars not specifically provided for in this act, he shall follow the procedure set forth in chapter two hundred eleven-c one (211-c1), Code, 1931, in so far as practicable.

The duties and responsibilities of making all appropriate and necessary arrangements for the holding of all regular and special school elections for the election of members of the county board, and also for the election of directors from the several attendance districts, are hereby placed upon the county board of education; and in calling and conducting such election, giving suitable and timely notice thereof, preparing, printing and distributing ballots, canvassing the vote and recording the results thereof and in all other particulars not specifically provided for in this act, shall follow the procedure set forth in chapter two hundred eleven-c one (211-c1), Code, 1931, in so far as practicable.

The duties and responsibilities of making all necessary arrangements for the holding of the special election called to vote upon the question of establishing the county unit school corporation, as herein authorized, shall be placed upon the county superintendent, subject to the approval of the county board of education; and in calling and conducting such election, giving suitable and timely notice thereof, preparing, printing and distributing the ballots, canvassing the vote and recording the results thereof and in all other particulars not otherwise specifically provided for in this act, he shall follow the procedure set forth in chapter two hundred nine (209), Code, 1931, in so far as practicable.

"Sec. 9. All statutory provisions for the filing of objections, hearings, decisions, publication of orders, appeals, special elections, judges of election, canvass and return, contest of election and other associated provisions found in chapter two hundred nine (209), Code, 1931, in so far as practicable, are, by specific reference thereto, hereby made applicable to the holding of the election herein provided for the purpose of authorizing and establishing a county unit corporation.

"Sec. 10. The actual and necessary expenses incurred in the holding of the election to vote upon the establishment of a county unit school corporation shall be presented, audited, and paid out of the county

treasury in the same manner as are other election accounts against the county.

"Sec. 11. The county board is hereby clothed with the powers, duties, responsibilities and obligations of maintaining such county unit school corporation, including those of the county board of education as now constituted and functioning under existing statutes, and such other specific powers as are now exercised by the boards of any other school district created and regulated by the statutes of Iowa as they now exist or as hereafter enacted.

The state aid provided for under this act is appropriated for the primary and principal purpose of equalizing school opportunities within the county, and with the intention of so arranging its several school units and so administering its public school funds as will ultimately accomplish such purpose and approximate such equality. The county board is hereby charged with the duty of so administering the school affairs of such county unit and so using the public funds thereof as to accomplish the result specifically mentioned in this paragraph.

The county board shall elect a county superintendent, and fix his salary. The powers, duties and responsibilities of such county superintendent shall be fixed and determined by formal written resolution legally adopted by the county board of education. Such duties may, at the discretion of the board, include those usually performed by a business manager.

No member of the board shall at any time during his term of office be eligible to appointment either as county superintendent, business manager or to any other office to be selected by such board.

"Sec. 12. The county unit shall be governed and controlled by the board, which shall make such rules and regulations, subject to the provisions of this act and to the regulations of the state department, as it shall find necessary to the proper and efficient administration and supervision of the several schools within said county unit.

"Sec. 13. The county superintendent shall be the executive and administrative officer of the board, to carry out its policies and directions, and shall also act in an advisory capacity to such board.

"Sec. 14. One (1) director shall be elected from each attendance district by the electors within such attendance district; his term of office to be for a period of one (1) year and his compensation and duties to be fixed from time to time by the county board of education; said directors to be elected by a majority of the duly qualified electors residing within the limits of such attendance district, at any regular school election.

"Sec. 15. Any independent school district not included within the original district and then under the jurisdiction of the county superintendent may merge with and become a part of the county unit if a majority of the legal voters residing in such school district and voting at some regular, or special, election called for that purpose, shall so decide. If a majority of the vote cast in said district shall favor such merger, and if the two affected boards shall agree upon an adjustment of the assets and liabilities as herein provided, the organization shall become effective as of July 1st next following. The county board shall then make such change in the several districts of the unit as has been made necessary by such merger of newly acquired territory; and shall also increase the

number of teacher units by adding one (1) such for every twenty (20) pupils in average daily attendance in the territory so included, and thereafter, such new number shall be used in calculating the state aid to be paid under this act.

The board of directors of any independent school corporation outside of the original districts named in the original petition shall arrange for and conduct any separate election called by such district for the purpose of entering into and becoming merged with the county unit school corporation.

"Sec. 16. The county board shall hold regular meetings on the first Monday of each calendar month and shall also hold such special meetings as the president of the board, or a majority of the same, shall find necessary. The said board shall organize, on the third Monday in March, by electing one (1) of its members as president, another as vice president, and the superintendent or his deputy, ex-officio, shall act as secretary of the board and perform the duties thereof. At the July meeting, the board shall elect a suitable person to act as its treasurer, whose term shall begin on the first secular day of said month. He shall be required to give bond in such sum and with such securities as may be fixed by the board. He shall receive all moneys from all sources belonging to the several funds of the school corporation, and shall pay them out only by warrant drawn by him, as directed by the board, upon orders signed by the president and countersigned by the secretary. The secretary and the treasurer shall each keep an accurate account of all moneys received and paid out by the school corporation, and, at the close of each school year and whenever required by the board, shall make a fully itemized and detailed report. Each member shall be entitled to mileage at the rate of five (5) cents per mile, both going and coming, and to other actual expenses necessarily incurred in the attendance of meetings and in the performance of any other official duties of the board. Such expense shall be paid from the general fund of the county unit at the same time and in the same manner as are other expenditures of said district.

"Sec. 17. All outstanding schoolhouse indebtedness and general fund indebtedness against any school district now existing and affected by this act shall be paid by a tax on the property of the territory comprising the original district incurring said indebtedness and no part of the county unit provided for herein shall ever be required to pay any part of such indebtedness as it existed prior to the time of the completion of such merging of territory. All indebtedness thereafter incurred or created by the county unit shall be paid by a tax on the property of the territory comprising the same. In order that such indebtedness of the original district may be paid, it shall be the duty of the county board of supervisors each year, after making full allowance for any replacement revenues received from the sale of its property or from any source other than the state aid provided for by this act, to make a levy against the taxable property within the territory of the district which incurred all outside indebtedness sufficient to pay the obligations then existing as they become due, and such payment shall be made at the time and in the manner provided by law.

"Sec. 18. The county board is hereby authorized, empowered and

directed to enter into an agreement with each of the several districts either originally or later taken into and merged with the county unit school corporation for the purchase of the real and personal property of each of such districts listed and appraised by the appraisal board at a price not in excess of that fixed by such appraisal board, and to make all necessary arrangements for the payment therefor by the county unit.

The appraisal board shall be appointed in the following manner: One (1) member by the county board, one (1) member by the school board of the independent district making application to be merged with the county unit, and a third (3) member to be selected by the first two (2) appointees. The decisions of the appraisal board in all matters coming within their jurisdiction shall be final.

"Sec. 19. The state department shall prescribe minimum standards for the several schools of such county unit corporation, and furnish the officers thereof with printed copies as originally established or as thereafter modified or changed.

"Sec. 20. The county board shall designate a safe and suitable depository, and shall otherwise preserve and protect the deposits of said school district.

"Sec. 21. Suitable offices shall be provided, furnished, equipped, and maintained in the court house for said county board, and without expense to such county unit school corporation.

"Sec. 22. It shall be the duty of the county attorney to act as legal adviser of the county board, and to represent such board, or any of its officers, in any litigation growing out of the performance of their duties as such.

"Sec. 23. In order to encourage the raising of the standards of rural schools within the several county unit school corporations, and to lessen the tax burden in rural taxing districts, an annual contribution in the form of state aid shall be made by the state of Iowa to each county unit school corporation meeting the specific requirements hereinafter set forth, said annual state aid payable to each county unit being fixed according to the teacher unit basis, and being in an amount equal to five hundred (500) dollars for each such teacher unit. The number of such teacher units for each county unit school corporation shall be determined by first ascertaining the total average daily attendance in said county unit at the time the original survey was made and by then dividing such total number by twenty (20), such calculation to be made by the state department, filed in said office and be accepted as final.

From and after January 1, 1937, no such state aid shall be payable to any county unit during any period in which it does not measure up to the minimum standardization of schools required by this act, and as now and hereafter fixed by the state department, and neither shall the full amount of such state aid be paid to any such county unit wherein the total tax burden required for the payment of all operating governmental expenses for the territory outside of cities and towns but within such county unit have exceeded one (1) per cent of the assessed valuation on all property within such rural territory of said county unit school corporation during the preceding tax year; provided, however, that if

because of peculiar local conditions in the rural territory of any such county unit the operating governmental expenses cannot be met with a one (1) per cent levy then the county board of supervisors may apply to the state budget board, which budget board is composed of the comptroller, the auditor of state and the chairman of the state board of assessment and review, for express authority to make a levy for that tax year in excess of one (1) per cent but not in excess of one and one-half (1½) per cent, and if such increased levy for any named tax year is so authorized by said budget board and if the county unit shall keep within such limit as increased then the full amount of such state aid shall be payable as by this act provided. Whenever the tax limit of one (1) per cent, or one and one-half (1½) per cent, as the case may be, is exceeded for the last preceding tax year, then, and in that event, the entire state aid fixed by this act shall not be paid to such county unit but shall be reduced in proportion to the amount that such excess exceeds the specific tax limit provided for under this act, except as otherwise provided in this act.

"Sec. 24. On the first day of January of each calendar year, the auditor of each county of the state in which there is a county unit school corporation shall certify to the superintendent of public instruction the amount of money actually levied for all operating expenditures in each taxing rural district within the county unit school corporation of their respective counties, together with the millage of such expenditures, whereupon the superintendent of public instruction shall file and preserve such information as a part of the permanent records of his office. The superintendent of public instruction shall then certify to the state comptroller the names of all county unit school corporations which have met as a minimum requirement the standards of standardization as now and hereafter fixed by the state department and which have kept their millage expenditures for all operative governmental purposes within the limits as defined in this act. The superintendent of public instruction shall also certify to the state comptroller the amounts due the several county unit school corporations which have met the minimum requirements and are entitled to the state aid herein provided.

"Sec. 25. On the first day of February of each calendar year, the state superintendent of public instruction shall file with the state comptroller a requisition for the amount due the several county unit school corporations of the state in accordance with the provisions of this act.

The state comptroller, upon receipt of such a requisition by the superintendent of public instruction, shall within twenty (20) days thereafter, draw warrants on the treasurer of state payable to the respective county unit school corporations in accordance with said requisition and shall promptly deliver such warrants to the superintendent of public instruction for record and for transmittal to the treasurer of the county school unit corporations entitled thereto. Upon receipt of any such state warrant in payment of such state aid, the treasurer of the county unit school corporation receiving the same shall forthwith cause the same to be deposited in the general fund of said school corporation.

"Sec. 26. That the law as it appears in section sixty-one (61), chapter eighty-two (82), acts of the Forty-fifth General Assembly, Extraordinary Session, be and the same is hereby amended by striking therefrom the

last four (4) lines thereof and by substituting for the lines so stricken the following: 'be carried by the Treasurer of State as a separate fund, which fund or so much thereof as is necessary is hereby set aside for the express purpose of providing the state aid for county unit school corporations, as herein provided, which state aid shall be disbursed to the several county units entitled thereto in accordance with the provisions of this act, on warrants drawn by the comptroller upon direction of the state superintendent of public instruction, and made payable to the several county unit school corporations on the first day of March of each calendar year.'

"Sec. 27. All acts, or parts of acts, in conflict herewith are hereby repealed.

"Sec. 28. This act, being deemed of immediate importance, shall be in full force and effect from and after its publication in the Cedar Falls Record, a newspaper published in Cedar Falls, Iowa, and the State Center Enterprise, a newspaper published in State Center, Iowa."

CHRIS REESE.

Senator Baldwin moved that the Senate adjourn until 10:05 a. m. Friday.

As a substitute motion, Senator Husted moved that the Senate adjourn until 9:00 a. m. Friday.

The substitute motion was lost, the Baldwin motion prevailed and the Senate adjourned until 10:05 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 29, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Deane Chapman, pastor of the Methodist Episcopal church at Ogden.

The Journal of March 28, 1935, was approved.

PETITIONS AND MEMORIALS

The following petitions favoring the tax on the so-called "chain stores" were received and filed, to be referred to the committee on cities and towns:

Senator Roelofs, from residents of O'Brien, Sioux, Osceola, and Lyon counties; Senator Dewey, from residents of Washington county; Senator Chrystal, from residents of Sac county.

The following petitions opposing Senate File 283, were received and filed, to be referred to the committee on board of control and public welfare:

Senator Chrystal, from residents of Sac county; Senator Baldwin, from residents of Dubuque county.

The following petitions were received and filed, to be referred to the designated committees:

Senator Schmidt, from residents of Johnson county, favoring House File 203. Committee on public health.

Senator Mason, from residents of Poweshiek county, favoring Senate File 163. Committee on motor vehicles.

Senator Hopkins, from residents of Dallas county, opposing the tax bill on natural gas. Committee on ways and means.

Senator Stanley, from residents of Taylor county, favoring House File 173. Committee on state planning.

Senator Roelofs, from residents of O'Brien county, opposing the basic science bill. Committee on public health.

Senator Reese, from residents of Marshall county, favoring House File 186. Committee on highways.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Fisch for the day, on request of Senator Driscoll.

INTRODUCTION OF BILLS

Senate File 336, by committee on pharmacy, a bill for an act to repeal sections twenty-one hundred ten (2110) and twenty-one hundred eleven (2111) of the Code, 1931, relating to the suspension and revocation of the licenses of physicians, pharmacists, and dentists; to repeal sections thirty-one hundred fifty-one (3151) to thirty-one hundred sixty-nine (3169), inclusive, of the Code, 1931, relating to narcotic drugs, and the possession, sale, and distribution thereof, and enacting a substitute for said sections thirty-one hundred fifty-one (3151) to thirty-one hundred sixty-nine (3169), inclusive, defining and relating to narcotic drugs and to the definition, manufacture, possession, sale, handling, and distribution thereof, providing a penalty, and for the revocation of the licenses of physicians, pharmacists, dentists, and veterinarians for a violation of this act.

The bill was read first and second times and placed on calendar.

HOUSE MESSAGES CONSIDERED

House File 85, a bill for an act to repeal sections seventy-four hundred twenty-b three (7420-b3), and seventy-four hundred twenty-b six (7420-b6), Code, 1931, as amended by chapters one hundred thirty-eight (138) and one hundred thirty-nine (139), acts of the Forty-fifth General Assembly, and to enact a substitute therefor, relating to the issuance of anticipatory warrants in payment of claims filed against the state sinking fund for public deposits and providing for the issuance and sale of refunding warrants, and, providing for the notice of sale of such warrants, receiving sealed and open bids therefor, rejection of said bids and penalty for violation thereof; and to repeal all acts or parts of acts in conflict herewith.

The bill was read first and second times and referred to committee on banks and banking.

House File 97, a bill for an act to amend chapter one hundred sixty-four (164), Code, 1931, providing for the licensing of vending machines and mechanical devices by the department of agriculture.

The bill was read first and second times and referred to committee on Judiciary No. 2.

House File 229, a bill for an act to amend section ten thousand six hundred eighty-one (10681), Code, 1931, relating to the setting aside of defaults.

The bill was read first and second times and referred to committee on Judiciary No. 1.

House File 231, a bill for an act to amend section eleven thousand eighty-three (11083), Code, 1931, relating to the method of publication of original notices and the form thereof.

The bill was read first and second times and referred to committee on Judiciary No. 1.

House File 232, a bill for an act to repeal sections ninety-one hundred eighty-nine (9189), ninety-two hundred fourteen (9214), ninety-two hundred fifteen (9215), ninety-two hundred seventeen (9217), ninety-three hundred one (9301), and ninety-three hundred two (9302), of the Code, 1931, relating to state banks, savings banks, and loan and trust companies.

The bill was read first and second times and referred to committee on Judiciary No. 1.

House File 234, a bill for an act to amend section eleven thousand one hundred twenty-three (11123), Code, 1931, relating to the extending of time of pleading.

The bill was read first and second times and referred to committee on Judiciary No. 1.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun 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 38, 39, 40, 52, 118 and 141.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files 38, 39, 40, 52, 118 and 141.

BILL SENT TO THE GOVERNOR

Senator Calhoun from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 29th day of March, 1935, sent to the Governor for his approval Senate File 15.

JOHN N. CALHOUN, *Chairman.*

Passed on file.

BILLS PLACED ON THE CALENDAR

Senator Stanley was granted unanimous consent to have Rule 35 invoked and Senate Joint Resolutions 8, 9 and 10 placed on the calendar.

HEARING OF INVESTIGATION OF INSURANCE
DEPARTMENT ORDERED PRINTED

By unanimous consent granted Senator Mason, it was ordered that the hearing before the insurance committee relative to the M. B. A. be printed in the Senate Journal.

SENATE FILE 69 PLACED ON THE CALENDAR

By unanimous consent granted Senator Shangle, it was ordered that Rule 35 be invoked and Senate File 69 placed on the calendar.

COPIES OF SENATE FILE 322 ORDERED

By unanimous consent granted Senator Grunewald, it was ordered that 1800 copies of Senate File 322 be printed.

SENATE JOINT RESOLUTION 11 MADE SPECIAL ORDER

Senator Baldwin was granted unanimous consent that Senate Joint Resolution 11 be made a special order of business for 10:00 a. m., Tuesday, April 9th.

COPIES OF SENATE FILE 209 ORDERED

By unanimous consent granted Senator McArthur, it was ordered that 600 copies of Senate File 209 be printed.

ACTION ON SENATE FILE 266 DEFERRED

By unanimous consent granted Senator Reese, it was ordered that the rules be suspended and consideration of the report of the committee recommending indefinite postponement of Senate File 286 deferred until Monday, April 1st.

SENATE FILE 61 MADE SPECIAL ORDER

By unanimous consent granted Senator Stanley, it was ordered that Senate File 61 be made a special order of business for Tuesday, April 9th, immediately following the disposition of Senate Joint Resolution 11.

SENATE FILE 177 WITHDRAWN

Senator Schmidt was granted unanimous consent to withdraw Senate File 177 from further consideration by the Senate.

SENATE FILE 144 MADE SPECIAL ORDER

By unanimous consent granted Senator Wilson, it was ordered that Senate File 144 be made a special order of business for 1:30 p. m., Thursday, April 4th.

ACTION DEFERRED ON SENATE FILE 161

Senator Reese requested unanimous consent to have the rules suspended and consideration of the report of the committee recommending indefinite postponement of Senate File 161 deferred until Monday, April 1st.

Objections were raised and the request denied.

Senator Reese moved that the rules be suspended and consideration of the report of the committee recommending indefinite postponement of Senate File 161 deferred until Monday, April 1st.

Roll call was demanded.

The question was, Shall consideration of the committee report recommending indefinite postponement of Senate File 161 be deferred?

On the question, Shall consideration of the report of the committee recommending indefinite postponement of Senate File 161 be deferred? the vote was:

Ayes, 37:

Anderson	Chrystal	Irwin	Pendray
Baldwin	Corwin	Malone	Reese
Beardsley	Dewey	Mason	Schmidt
Bell of Crawford	Donohue	McArthur	Shangle
Bell of Des Moines	Doze	Meyer	Shaw
Berg	Driscoll	Miller	Stanley
Billingsley	Goetsch	Millhone	Stevens of Decatur
Byers	Grunewald	Mullaney	Stevens of Wapello
Calhoun	Hush	Nelson	
	Husted	Parker	

Nays, 1:

Hopkins

Absent or not voting, 12:

Aschenbrenner	Geske	Knudson	Roelofs
Elthon	Harrington	Moore	Valentine
Fisch	Kimberly	Patterson	Wilson

The motion prevailed and action on the committee report on Senate File 161 was deferred.

BILLS INDEFINITELY POSTPONED

Senate File 256, a bill for an act to amend the law as it appears in section twenty-three hundred sixty-four (2364), Code, 1931, relating to the employment of public nurses and that they shall not discriminate against any branch of the healing arts, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

Senate File 195, a bill for an act to amend section nine thousand eighteen (9018) of the Code, 1931, relating to the standard form of fire insurance policy which may be lawfully issued in this state; to provide that the insurer shall be liable for the full amount for which said property is insured, in case of total loss or a proportionate amount thereof, in case of partial loss; to amend chapter four hundred four (404) of the Code, 1931, by adding thereto section nine thousand eighteen-a one (9018-a1), providing that the insurer shall cause any structure to be previously examined, a full description thereof made, its insurable value fixed by the insurer or his agent, and the amount thereof stated in the policy, and that in the absence of any change increasing the risk without the consent of the insurer, and in the absence of fraud, the whole amount mentioned in the policy, or in the renewal, upon which the insurer receives a premium shall be paid in case of total loss and in case of partial loss the full amount thereof, and for co-insurance and providing who shall be held to be an agent of the insurer; to

amend section eight thousand nine hundred seventy-six (8976), Code, 1931, providing that the amount stated in the policy shall be conclusive evidence of the insurable value; and to repeal section eight thousand nine hundred seventy-seven (8977), Code, 1931, and substitute in lieu thereof, relating to depreciation which reason be shown and amount for which insurer is liable, with report of committee recommending indefinite postponement, was taken up and considered.

The bill was read for information.

Senator Knudson moved that the committee report be adopted.

Roll call was requested.

The question was, Shall the committee report be adopted?

On the question, Shall the committee report be adopted? the vote was:

Ayes, 21:

Baldwin	Byers	Meyer	Stanley
Beardsley	Donohue	Miller	Stevens of
Bell of	Elthon	Moore	Wapello
Des Moines	Irwin	Parker	Valentine
Berg	Knudson	Patterson	Wilson
Billingsley	McArthur	Shaw	

Nays, 18:

Anderson	Doze	Hush	Schmidt
Bell of Crawford	Driscoll	Husted	Shangle
Chrystal	Goetsch	Malone	Stevens of
Corwin	Grunewald	Mullaney	Decatur
Dewey	Hopkins	Reese	

Absent or not voting, 11:

Aschenbrenner	Geske	Mason	Pendray
Calhoun	Harrington	Millhone	Roelofs
Fisch	Kimberly	Nelson	

The motion prevailed and the committee report was adopted.

Senate File 96, a bill for an act to repeal chapter one hundred seventeen (117), Code, 1931, relating to the practice of podiatry and to enact a substitute therefor, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

SENATE FILE 106 WITHDRAWN

By unanimous consent granted Senator Donohue, Senate File 106 was withdrawn from further consideration by the Senate.

SENATE FILE 331 MADE SPECIAL ORDER

By unanimous consent granted Senator Billingsley, it was ordered that Senate File 331 be made a special order of business to follow immediately the disposition of House File 1.

SENATE FILE 1 MADE SPECIAL ORDER

By unanimous consent granted Senator Hopkins, Senate File 1 was made a special order of business for Thursday, April 4th, to follow immediately the disposition of Senate File 144.

SENATE FILE 302 MADE SPECIAL ORDER

By unanimous consent granted Senator Valentine, it was ordered that Senate File 302 be made a special order of business for 10:00 a. m., Wednesday, April 10th.

CONSIDERATION SENATE FILE 176 RESUMED

Senate File 176, relating to the duration of judgments rendered solely on promissory obligations secured by mortgage or deed of trust of real estate, without foreclosure against said security, was again taken up and considered.

Senator Billingsley offered the following amendment and moved its adoption:

Amend Senate File 176 by striking all after the period following the figure "two (2)", line 1, section two (2), and insert in lieu thereof:

"Judgments heretofore rendered or in actions now pending upon promissory obligations secured by mortgage or deed of trust of real estate, and upon which judgments or actions now pending the holder thereof brought suit direct upon the said promissory obligation without a foreclosure against said security, shall have no force or vitality for any purpose other than a set off or counter claim from and after the expiration of two (2) years from the passage of this act and no execution shall be issued thereon.

"Sec. 3. This act, being deemed of immediate importance, shall be in full force and effect after its passage and publication in the Newton Daily News, a newspaper published at Newton, Iowa, and in the Baxter New Era, a newspaper published in Baxter, Iowa."

The motion prevailed and the amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 176 by inserting after the period in line 7 of section one (1) the following:

"Provided, however, that the provisions of this act shall not apply

where the parties expressly stipulate otherwise at the time of the execution of the said note and mortgage."

The motion to amend was lost.

Senator Billingsley moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 32:

Anderson	Doze	Mason	Pendray
Beardsley	Driscoll	McArthur	Reese
Bell of Crawford	Elthon	Meyer	Schmidt
Bell of	Goetsch	Miller	Shangle
Des Moines	Grunewald	Millhone	Shaw
Berg	Hopkins	Mullaney	Stanley
Billingsley	Hush	Parker	Stevens of
Chrystal	Husted	Patterson	Decatur
Dewey	Malone		

Nays, 4:

Byers	Donohue	Stevens of Wapello	Valentine
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Absent or not voting, 14:

Aschenbrenner	Fisch	Kimberly	Nelson
Baldwin	Geske	Knudson	Roelofs
Calhoun	Harrington	Moore	Wilson
Corwin	Irwin		

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

Senator Billingsley moved that the vote by which Senate File 176 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following message was received from the House:

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

House File 169, a bill for an act relating to places of listing moneys and credits for taxation.

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

House File 242, a bill for an act relating to unbonded agricultural warehouses.

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

Senate File 35, a bill for an act to authorize the Governor to issue annually a proclamation to commemorate the life and history of Christopher Columbus.

VIRGIL LEKIN, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 35

Strike all after the enacting clause and substitute in lieu thereof the following:

"The Governor of this state is hereby authorized and requested to issue annually a proclamation, calling upon our state officials to display the American Flag on all state and school buildings and the people of the state to display the flag at their homes, lodges, churches, and places of business on the 12th day of October, known as Columbus day; to commemorate the life and history of Christopher Columbus and to urge that services and exercises be had in churches, halls and other suitable places expressive of the public sentiment befitting the anniversary of the discovery of America."

Amend the title by striking all after the word "act" in line 1 and substituting the following:

"to authorize the Governor to issue annually a proclamation to commemorate the life and history of Christopher Columbus."

THIRD READING OF BILLS

The proper time having arrived, Senate File 131, a bill for an act to repeal chapter one hundred thirty-eight (138), title LX of the Code of 1931, relating to farm aid associations, and to enact a substitute therefor relating to educational work for improving and advancing agriculture, home economics, and junior extension work in rural communities, and rural adult education in each county; and to provide county appropriation for conducting such educational work, with report of committee recommending passage, was taken up and considered.

The bill was read for information.

A call of the Senate having been filed, roll call revealed all members of the Senate present excepting Senators Aschenbrenner, Bell of Crawford, Fisch, Geske, and Kimberly.

Senator Irwin moved that the absentees be excused from the call of the Senate.

As a substitute motion, Senator Elthon moved that Senators Aschenbrenner, Fisch and Kimberly be excused from the call of the Senate.

The substitute motion prevailed, the substitution was made, and the Elthon motion prevailed.

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

Senator Wilson was called to the chair at 11:35 a. m.

Senator McArthur offered the following amendment and moved its adoption:

Amend Senate File 131 by striking section one (1) and inserting in lieu thereof the following:

"Section 1. Chapter one hundred thirty-eight (138) is hereby amended by adding the following sections of this act:

"Sec. 2. On a petition signed by at least fifty-one (51) per cent of the qualified voters of said county living outside the corporate limits of the cities and towns, a county agricultural extension board shall be established in lieu of the farm aid association which exists prior to the passing of this act. When such action has been taken the county agricultural extension service shall function under the provisions of this act for at least three (3) years. After three (3) years from the establishment of the county agricultural extension service as provided in this act on the petition of at least fifty-one (51) per cent of the qualified voters of said county living outside the corporate limits of cities and towns, a county may qualify for farm aid under chapter one hundred thirty-eight (138) of the Code, 1931, as it existed prior to the passage of this act."

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

Amend the amendment to Senate File 131 offered by Senator McArthur, found on page 658 of the Senate Journal, by inserting in section two (2), line 2, after the word "voter" the following: "who are property taxpayers."

The motion to amend prevailed and the amendment to the amendment was adopted.

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

AFTERNOON SESSION

Having recessed until 1:30 p. m., the Senate reconvened, Senator Wilson presiding.

Roll call revealed Senators Anderson, Bell of Crawford, Donohue, Geske, Harrington, Moore, Patterson and Shaw absent from the Senate, as well as those Senators previously excused.

HOUSE MESSAGES CONSIDERED

House File 242, a bill for an act to repeal sections ninety-seven hundred fifty-three (9753), ninety-seven hundred fifty-four (9754),

ninety-seven hundred fifty-seven (9757), ninety-seven hundred sixty (9760), ninety-seven hundred sixty-three (9763), ninety-seven hundred sixty-four (9764), ninety-seven hundred sixty-seven (9767), ninety-seven hundred sixty-nine (9769), ninety-seven hundred seventy-one (9771), ninety-seven hundred seventy-four (9774) to ninety-seven hundred eighty-three (9783), inclusive, ninety-seven hundred eighty-five (9785) to ninety-seven hundred eighty-nine (9789), inclusive, and ninety-seven hundred ninety-eight (9798), Code, 1931, as amended and section four (4), chapter one hundred twenty-six (126) and section four (4), chapter one hundred twenty-seven (127), and chapter one hundred twenty-eight (128), acts of the Forty-fifth General Assembly, Extraordinary Session, relating to unbonded agricultural warehouses and to enact a substitute therefor to limit the appointment of warehouse boards one to a county; to require members of warehouse boards to be residents of the county in which they are to serve; to provide for the election of a secretary-treasurer, president and vice president for each warehouse board; to require each secretary-treasurer and sealer to furnish bonds for at least one thousand (1,000) dollars; to provide for the issuance of certificate of re-inspection and collection of fees therefor; to provide for subsequent inspection of grain under storage; to require the secretary of agriculture to include in the certificate form a statement that no other certificate is outstanding on the grain represented thereby; to prohibit the issuance of more than one certificate on a granary, crib, or bin; to provide for continuing the negotiability of certificates issued to tenant owners after their leases expire; to require owners to file or cause to be filed with the county recorder a duplicate of any and/or all certificates before or at the time such certificates are negotiated; to require county recorders to stamp original certificates and retain duplicates thereof; to provide for release of certificate through the secretary of local warehouse board or the secretary of agriculture and to provide for pro-rating surplus funds in the treasury of the local warehouse board.

The bill was read first and second times and referred to committee on agriculture.

House File 169, a bill for an act to amend the law as it appears in section sixty-nine hundred sixty-three (6963), Code, 1931, relating to places of listing moneys and credits for taxation.

The bill was read first and second times and referred to committee on ways and means.

CONSIDERATION OF SENATE FILE 131 RESUMED

On motion of Senator Millhone, the deliberation on Senate File 131 proceeded with the understanding that no final vote on the bill be taken until the call of the Senate was complete.

As a substitute for the pending McArthur amendment, Senator Hush offered the following amendment and moved its adoption:

Amend Senate File 131 by striking section one (1) and inserting in lieu thereof the following:

"Section 1. Chapter one hundred thirty-eight (138), Code of 1931, is hereby amended by adding thereto the following sections.

"Sec. 2. When a petition, signed by fifty-one (51) per cent or more of the qualified voters who are property tax payers of a county and live outside the corporate limits of cities and towns, is filed with the county board of supervisors of such county asking that a county agricultural extension board be established as hereinafter provided, all provisions of chapter one hundred thirty-eight (138), Code of 1931, as it existed prior to these amendments shall be of no effect in such county except as hereinafter provided. When, after three (3) years from the establishment of the county agricultural extension board in a county as provided in this act, a petition of fifty-one (51) per cent or more of the qualified voters who are property tax payers of said county and live outside the corporate limits of cities and towns, is filed with the county board of supervisors of such county asking that the county extension board be discontinued, a farm aid association may qualify for appropriation under chapter one hundred thirty-eight (138), Code of 1931, as it existed prior to the passage of this act."

The motion to substitute the Hush amendment prevailed, the substitution was made, and the substitute amendment was adopted.

Senator Stanley offered the following amendment and moved its adoption:

Amend section three (3) of Senate File 131 by inserting after the comma following the word "board" in the fifth line the following: "when such certificate is accompanied by a petition asking for the appropriation, signed by at least fifty (50) per cent of the resident farmers of said county living outside the corporate limits of the cities and towns of said county,".

By unanimous consent Senator Stanley withdrew the amendment.

Senator McArthur offered the following amendment and moved its adoption:

Amend Senate File 131 by adding thereto the following section:

"Sec. 3. Any petition filed under the provisions of this act shall be filed with the county auditor and the board of supervisors of the said

county, shall within thirty (30) days thereafter, at a regular meeting of the said board, canvass the said vote and shall file with the county auditor the result of the said canvass and make a finding as to whether or not the required number of qualified voters have signed the said petition as provided in this act."

Senator McArthur was granted unanimous consent to correct the pending amendment by changing the word "vote" in line 5 to the word "petition", and by inserting in line 7 after the word "voters" the following: ", as provided in this act,".

The motion prevailed and the amendment as corrected was adopted.

Senator Mullaney offered the following amendment and moved its adoption:

Amend section three (3) of Senate File 131, in line 8, the words and figures, "twenty-five thousand (25,000)" and insert in lieu thereof, "thirty thousand (30,000)", also in lines 10 and 11 the words and figures "twenty-five thousand (25,000)" and insert in lieu thereof, "thirty thousand (30,000)."

The motion to amend was lost.

Senator Malone offered the following amendment and moved its adoption:

Amend section three (3) of Senate File 131, in line 9, following the word "annually", insert the words and figures, ", not to exceed a maximum of five thousand (5,000) dollars annually,".

As a substitute for the Malone amendment, Senator Elthon offered the following amendment and moved its adoption:

Amend Senate File 131 by inserting in line 7 of section three (3) after the word "dollars" the words "and not more than three thousand (3,000) dollars."

Further amend by inserting in line 9 of section three (3) after the word "dollars" the words "and not more than five thousand (5,000) dollars."

The chair called for a division of the vote and announced that the motion to substitute prevailed. The substitution was made, the substitute motion prevailed and the substitute amendment was adopted.

Unanimous consent was granted Senator Baldwin that he be excused from the call on Senate File 131.

By unanimous consent granted Senator Irwin, Senators Bell of Crawford and Geske were excused from the call of the Senate.

Senators Anderson, Donohue, Harrington, Moore, Patterson and Shaw having appeared in the Senate Chamber, the call of the Senate was declared to be complete.

Senator Moore offered the following amendment and moved its adoption:

Amend section four (4), Senate File 131, by striking in line 6 the words "No member shall serve more than"; also by striking in line 7 the words "three (3) years in succession."

The motion prevailed and the amendment was adopted.

Senator McArthur offered the following amendment and moved its adoption:

Amend by renumbering the remaining sections of the bill.

The motion prevailed and the amendment was adopted.

Senator McArthur offered the following amendment and moved its adoption:

Amend the title of Senate File 131 by striking the word "repeal" in line 1 and substitute in lieu thereof the word "amend," and by striking from line 3 the words "enact a substitute therefor relating to."

The motion prevailed and the amendment was adopted.

Senator Hush offered the following amendment and moved its adoption:

Amend section two (2) as amended, by striking from lines 14 and 15 the words "County Board of Supervisors" and inserting in lieu thereof the word "Auditor."

Also amend line 16 by inserting after the word "discontinued" the following: "such county extension board shall no longer receive any appropriations from the county and."

The motion prevailed and the amendment was adopted.

Senator Shangle offered the following amendment and moved its adoption:

Amend Senate File 131 as follows:

1. Amend section eight (8), line 4, by inserting after the comma following the word "agriculture" the words "Iowa State Department of Agriculture."
2. Amend section twelve (12), line 9, by inserting after the word "agriculture" the words "Iowa State Department of Agriculture."

The motion prevailed and the amendment was adopted.

SENATE FILE 131 ORDERED PRINTED

By unanimous consent granted Senator Elthon, it was ordered that Senate File 131 be reprinted, as amended.

NOTICE OF JOINT PUBLIC HEARING FILED

There will be a joint public hearing before the House and Senate conservation committee in the House chamber Wednesday afternoon, 2:00 o'clock, April 3rd. The speakers will be Dr. McDonald, head of forestry department of Ames, and Chairman Woodcock of the state board of conservation. The subjects discussed will be: the location of future CCC camps in Iowa, the work done by such camps in the past year, and federal and state appropriations for the coming two (2) year period.

I. G. CHRYSTAL.

TRANSCRIPT OF EVIDENCE TAKEN BEFORE
JOINT INSURANCE COMMITTEE

Joint hearing before the Senate and House committee on insurance of the Forty-sixth General Assembly of Iowa on House Joint Resolution 6 with reference to an investigation of the office of the commissioner of insurance of the state of Iowa, held in Senate committee room No. 22, at the state house, Des Moines, Iowa, beginning at 1:20 o'clock p. m. on Tuesday, March 19, 1935, Senator Irving H. Knudson, chairman of the Senate committee on insurance, presiding.

Chairman Knudson: I want to make this statement to the members of the committee, that by request of the chairman of the House committee it was suggested that we have a joint hearing today, because this matter is before both branches, and that the insurance committee of the House be invited to sit with us, if there are no objections.

We will have the Clerk call the roll.

(Roll call by the clerks of the respective committees.)

Chairman Knudson: Gentlemen, I am just wondering as to the procedure. I have several requests that have come to me from persons who are not members of either committee that would like to listen to this hearing. I have also been asked whether the press should be allowed to be in here. What is the pleasure of the committee?

Representative Avery: Mr. Chairman, I move that everybody that wants to come in be permitted to do so. (Motion seconded.)

Chairman Knudson: The motion has been made that everybody that wishes to come in be allowed to come in. Any remarks? All in favor say "Aye." Contrary? So ordered.

Now, gentlemen, what is the wish of the committee with regard to the procedure? The insurance commissioner of Iowa, with one of his deputies, is here, I understand, and Mr. Havner is here also, and a few others. We had better adopt some rules, possibly, as to procedure.

Senator Mason: In view of the fact that certain acts of the insurance department have been criticised I would suggest that the insurance commissioner be first heard.

Senator Donohue: Is that a motion?

Senator Mason: Yes.

Chairman Knudson: The motion made by Senator Mason is that the commissioner of insurance, Mr. Clark, be first heard.

Senator Donohue: As a substitute motion for Senator Mason's motion

I make the motion that we first hear what the complainants have to offer, and see what there is in it. There is no use putting the insurance commissioner up here unless there is something to answer. Seems to me we ought to hear what the complaint or charge is. As I understand it, there are going to be certain people here who are to give us facts on that side of it. I offer that as a substitute motion. (Motion seconded.)

Chairman Knudson: You have heard the substitute motion.

Senator Mason. Mr. Chairman, I believe that inasmuch as the officers of the Modern Brotherhood of America are now indicted in the United States federal court, that there has been some wrongdoing, and I would like to have the insurance department put their O. K. on the action that these men have taken during this merger. If there has been no wrong committed these men, I don't think, should be indicted. But they are indicted in the United States federal court, which is a self-evident fact that there has been some wrongdoing somewhere. I think that the insurance department should be heard first.

Chairman Knudson: The question has been called for on the substitute motion of Senator Donohue which is, as I understand it, that those having complaint or wishing the investigation should speak first. You have heard the question. All in favor will say "Aye." Contrary "No." The motion is carried. Who are the speakers?

Senator Mason: Mr. Havner probably knows considerable about this merger.

Mr. H. M. Havner, of Des Moines: Mr. Chairman and Members of the Committee. In order that there may be no misunderstanding as to the capacity in which I appear, I desire to read, with the consent of Senator Mason, a letter which I received this morning from Senator Mason. It is addressed to myself and bears the date of March 19, 1935:

Dear Mr. Havner:

Our insurance committee is meeting at 1:00 o'clock this afternoon for the primary purpose of a hearing by Mr. Clark, insurance commissioner, relating to my insurance resolution for an investigation of the insurance department, particularly relative to the merger of the M. B. A. I was expecting that either Mr. Elmer Johnson or Mr. Frank O'Connor would be here to present the side of the policyholders. Inasmuch as I have been disappointed in their not coming I am urging you to appear in behalf of the policyholders, knowing that you are quite familiar with this merger. I would be very pleased to have you here.

Yours truly,

E. I. MASON.

I received that this morning about 10:00 o'clock. Immediately after I received it I telephoned to Mr. Johnson at Cedar Rapids to ascertain whether it would not be possible for him to be here, and he told me that he had been in bed for a number of days and was in his office for the first time today, and that it would not be possible for him to be here.

So, as I said a moment ago, in order that there may be no misunderstanding I have made these statements.

I also want it understood by the members of the committee that I, together with other persons, am interested in the prosecution of two (2) suits, two (2) civil suits, one of which is pending in Davenport, Iowa, and one of which is pending in the federal court in the northern district

of Iowa. So with that statement I will proceed, and if I go outside of the lines, the chairman will remind me.

As I understand it, this resolution which is under consideration, the one in the House is known as House Joint Resolution 6, and if I mistake not this resolution calls for this investigation not from the standpoint of prosecuting or persecuting any one man or any one set of men, but for the purpose of getting facts before the members of the General Assembly to the end that if there has been a wrong done under the facts as they shall be finally submitted to you that such legislation may be passed or such action may be taken by the General Assembly of Iowa so that a repetition of this kind of wrongdoing, if any there was, should not be repeated. And I call attention to the language of the last paragraph preceding the resolution itself, and the resolution itself. It is not necessary to read them, because you gentlemen are entirely familiar with your own records and you have your records before you.

The first thing that I wish to deal with is the question of the M. B. A., and I shall, as far as possible, substantiate every statement which I shall make with a written record, of which I have in my files a photostatic copy, or else a typewritten copy of the record itself.

The Modern Brotherhood of America was a fraternal beneficiary society with its home office located in Mason City, Iowa. The exact number of policyholders or certificate holders which it had I do not now recall, and it is not material, except that scattered over the state of Iowa at the time that this company's proposed merger was on were hundreds and hundreds and hundreds of poor people, people carrying a policy of one thousand (1000) or two thousand (2000) dollars that they had worked and toiled and denied themselves in many instances the absolute necessities of life in order to keep the monthly payments up on those policies. There was something over twenty-three million (23,000,000) dollars worth, face value, of those certificates, of those that are called what is known as the inadequate rate class. That is, the poorer class of people, generally speaking, not altogether, but in most instances. They were people who had gone in who could not afford to carry the kind of insurance that the most of you men carry, which is known as adequate rate class insurance, which is carried by the average old line life insurance company.

There were two other classes of insurance, both of which were known as adequate rate class.

Sometime in the year 1931, there was a proposition submitted to the insurance department of the state of Iowa to merge the Modern Brotherhood of America with the Independent Order of Foresters, of Toronto, Canada. Now the date which the original contract bears was the 7th day of November, 1931. There was a letter exchanged between the department of insurance and Mr. Sam Sparrow, who was then, and he is now too, as far as that is concerned, living in Kansas City, Missouri. He was then known as the general attorney for the Modern Brotherhood of America. Whether those letters were exchanged between Kansas City or whether they were written in the office I know not, and it makes no difference as far as this statement is concerned.

In any event on the 23rd day of November, the insurance commissioner, Mr. Clark, wrote a letter, and I will read it:

November 23, 1931.

Modern Brotherhood of America,
Mason City, Iowa.

Dear Sirs:

I have this day approved the plan and agreement of merger between the Modern Brotherhood of America and the Independent Order of Foresters.

You are directed to submit the same to a supreme convention of your supreme lodge after giving to each delegate and officer entitled to vote at it a written or printed notice thereof at least ten (10) days prior to the date of said convention.

Now there were notices sent out by the Modern Brotherhood of America, the officers, the president of which at that time was Albert Hass. I think I should make this statement, though, preliminary to the statement that I am about to make. That up until just shortly before Mr. Clark became the insurance commissioner of Iowa he acted in the capacity of treasurer of the Modern Brotherhood of America and had served in that capacity for a number of years, the exact time I do not know, and it is not material except that he has filled that position for some considerable time. He resigned that office before he came into office in Des Moines, Iowa.

These notices, as I say, were sent out. Some reference was made by Senator Mason to the return of certain indictments in connection with this matter, which I think it may not be out of place, because it was the sending of these very notices calling this meeting in convention at the Del Prado hotel in Chicago, Illinois, which is the basis of the indictment, a copy of which I hold in my hand.

This indictment is against Albert Hass, W. Pingree Curtis—Albert Hass is the president of the M. B. A., W. Pingree Curtis was a member of the board of directors and had been for a number of years. So had Hass been for a number of years the president. Frank C. Parnell, member of the board of directors, had been for a number of years, Willard A. Knight, who is a member of the board of directors and had been for a number of years, Sam Sparrow, who was the general counsel and had been for a number of years, and Clarence R. Parks.

Clarence R. Parks was the man who in the statement which follows will be shown, according to the theory of the policyholders, certain of the policyholders, had been employed as the intermediary or conduit through which certain unlawful payments were to be made to the officers of the Modern Brotherhood of America.

In the original contract which was on file then with the insurance commissioner and which was to be submitted to these men in Chicago, it provided in the original contract that there should be paid to certain of the officers, a list of whom I will give you presently, a certain—the same monthly stipend which they had been receiving at the time the merger contract was entered into for a period of four (4) years. Mr. Hass, the president, was receiving fifteen thousand (15,000) dollars a year.

And now, so that the committee may know as to the character of the

charge which the federal government is lodging against these men for the sending of these notices through the mail, I will read a portion of this indictment into the record for you:

In the district court of the United States, in and for the northern district of Iowa, central division aforesaid, at the November, 1934, term thereof.

The grand jurors of the United States, being duly drawn, impaneled, sworn and charged, at the term aforesaid, to inquire within and for the northern district of Iowa, upon their oath present:

That prior to December 10, 1931, there was in existence the Modern Brotherhood of America, a fraternal benefit society organized and incorporated under and by virtue of the laws of the state of Iowa, which said society consisted of a large number of members who were by virtue of the constitution, rules and by-laws of said society and by virtue of the laws of the state of Iowa, benefit certificate holders in said society and were the sole owners of the assets of said society; and there was in existence the Independent Order of Foresters, a fraternal benefit society organized and incorporated under and by virtue of the laws of the Dominion of Canada, consisting of a large number of members who were, by virtue of the constitution, rules and by-laws of said society and of the laws of the Dominion of Canada benefit certificate holders in said society and were the sole owners of the assets of said society, and on or about December 10, 1931, the said Modern Brotherhood of America was merged and consolidated with the said the Independent Order of Foresters and its business was absorbed, its liabilities were assumed and its assets were acquired by the said the Independent Order of Foresters and its members became members of the said the Independent Order of Foresters.

And these grand jurors, aforesaid, upon their oath aforesaid, do further present that the said Albert Hass, W. Pingree Curtis, whose christian name is to the said grand jurors unknown, Frank C. Parnell, Willard A. Knight, Sam Sparrow and Clarence R. Parks, hereinafter called defendants, before and at the time of the committing of the offenses in this indictment hereafter charged, had devised and did devise a scheme and artifice to defraud the said the Independent Order of Foresters as it should and did exist after the said merger and consolidation and a large number of persons belonging to that class of persons who were members and benefit certificate holders of the said Modern Brotherhood of America, who should be and did become, by virtue of said merger and consolidation, members of the said the Independent Order of Foresters as the said the Independent Order of Foresters should and did exist after the said merger and consolidation, which said society and said class of persons are hereafter referred to as the persons to be defrauded, and to obtain money and property from the said persons to be defrauded by means of false and fraudulent pretenses and representations, statements and promises hereinafter set forth.

It was part of said scheme and artifice that the said defendants, some of whom were then and there directors of the said Modern Brotherhood of America, should and they did dominate and control the activities and

conduct of the business of the said Modern Brotherhood of America prior to and up to the time of the said merger and consolidation of the said Modern Brotherhood of America with the said the Independent Order of Foresters and that the said defendants while so dominating and controlling the activities and conduct of the business of the said Modern Brotherhood of America, as aforesaid, and while some of the defendants were acting as directors and officers of the said Modern Brotherhood of America, should and they did, on or about December 10, 1931, merge and consolidate and cause to merge and consolidate, the said Modern Brotherhood of America with the said the Independent Order of Foresters, and that they, the said defendants, should and did wrongfully obtain from the persons to be defrauded, a large amount of money, to wit, three hundred thousand (300,000) dollars for the merging and consolidating, and the causing to be merged and consolidated, of the said Modern Brotherhood of America with the said the Independent Order of Foresters, as aforesaid, without the knowledge or consent of the persons to be defrauded.

"It was further a part of said scheme and artifice that the said defendants should and they did, after merging and consolidating and causing to be merged and consolidated the said Modern Brotherhood of America with the said the Independent Order of Foresters, knowingly, unlawfully and feloniously convert to their own use and benefit the said large sum of money to be received and received, as aforesaid, from the said persons to be defrauded, without the knowledge and consent of the said persons to be defrauded."

And I will say to you, as members of the committee, that I have here for examination by the members of the committee, if they so desire, the photostatic copies of these checks which paid this three hundred thousand (300,000) dollars to these officers of the Modern Brotherhood of America, no mention of which was made in the merger contract. And these checks show, these photostatic copies of the checks, and the originals of which are now in the Forty-second street branch of the National City Bank of New York City, these checks bear the bona fide endorsement of every man who was a member who is named in this indictment. The checks bear the bona fide endorsements of those men.

It was further part of said scheme and artifice that the said defendants, while so dominating and controlling the activities and conduct of the business of the said Modern Brotherhood of America, as aforesaid, and while some of the said defendants were acting as directors and officers of the said Modern Brotherhood of America, as aforesaid, should and they did on or about November 7, 1931, at the city of Mason City, Iowa, in the central division and northern district of Iowa, in behalf of and for, and in the name of the said Modern Brotherhood of America, execute and cause to be executed, a written contract and agreement with the said the Independent Order of Foresters, to merge and consolidate the business of the said Modern Brotherhood of America with the business of the said the Independent Order of Foresters, which is the contract of merger to which I have heretofore referred.

It was further a part of said scheme and artifice that the said defend-

ants while so dominating and controlling the activities and conduct of the business of the said Modern Brotherhood of America as aforesaid, and while some of the defendants were acting as directors and officers of the said Modern Brotherhood of America, as aforesaid, should and they did on or about November 7, 1931, deliver and cause to be delivered, the said contract and agreement to E. W. Clark, whose Christian name is to the grand jurors unknown, the then commissioner of insurance of the state of Iowa, at Des Moines, Iowa, for approval of the same by the said E. W. Clark as commissioner of insurance for the state of Iowa.

That is the contract which is referred to in Mr. Clark's letter of November 23rd which I have read in your hearing.

It was further a part of said scheme and artifice that the said defendants while so dominating and controlling the activities and conduct of the business of the said Modern Brotherhood of America, as aforesaid, and while some of the said defendants were acting as directors and officers of the said Modern Brotherhood of America, as aforesaid, should and they did, cause to be held in the city of Chicago, in the state of Illinois, on or about the 9th day of December, 1931, a convention and meeting of duly elected and qualified delegates of the said Modern Brotherhood of America who were then and there empowered and authorized under the constitution, rules and by-laws of the said Modern Brotherhood of America to act for and in behalf of the said Modern Brotherhood of America and its members for the purpose of causing the said Modern Brotherhood of America, through its said delegates then and there convened in said convention, to vote its approval of the said contract and agreement to merge and consolidate and to vote its approval and authorize the said merger and consolidation of the said Modern Brotherhood of America with the said the Independent Order of Foresters.

It was further a part of said scheme and artifice that the said defendants at the said convention and meeting to be held and held at the time and place aforesaid, should and they did, by means of false and fraudulent pretenses, representations and promises then and there made, and made and caused to be made by the said defendants to the said delegates—

And I want to say this to the members of this committee, I know the names of the witnesses—they can be produced—to whom one of these defendants went and offered them a bribe of five thousand (5,000) dollars in connection with this very merger and to control the votes of certain of the people who were to meet in this convention in the city of Chicago.

And the grand jurors aforesaid, upon their oath aforesaid, do further present that the said false and fraudulent pretenses, representations and promises intended to be made and made and caused to be made by the said defendants, as aforesaid, at the time and place aforesaid, were to the effect that the board of directors of the said Modern Brotherhood of America deemed it to the best interest of the said Modern Brotherhood of America and its members that the said society merge and consolidate its business with the business of the said the Independent Order of Foresters and to the effect that if the said merger and consolidation was voted upon with approval and authorized by the said delegates in behalf of and for

the said Modern Brotherhood of America and its members, the then officers and directors of the said Modern Brotherhood of America would be employed and engaged by the said the Independent Order of Foresters for a period of four years, but only at an annual salary which was of the same amount that the said directors and officers were then respectively receiving as an annual salary as directors and officers respectively of the said Modern Brotherhood of America; the defendants then and there intending by said pretenses, representations and promises to have the said delegates understand and believe that the only purpose of and reason for the proposing of the said merger and consolidation was to protect and safeguard the interest of the said Modern Brotherhood of America and its members.

Now, so that the membership of the committees may understand, as I told you in the beginning, and as it is stated here in this indictment, there were salaries which were being paid to the officers which are mentioned in the contract of merger. But this side contract, this contract which was to pass approximately a half million dollars under the table and through this Parks & Company was not mentioned either in the contract, nor was it mentioned at all at the meeting in Chicago.

I think it is sufficient for me to say that this indictment charges all of these directors with the fraud of having used the United States mails, in the sending out of these notices through the mails, all of which were sent by registered mail from the postoffice at Mason City, Iowa.

Now as to the testimony which was offered in support of this indictment, I do not know. I do know this, however, that prior to the return of the indictment I was waited upon myself by the United States attorney for the northern district of Iowa, by certain representatives of the post-office department, and I was asked whether I would be willing to loan to them the records which I have. I loaned them those records. They had them for some time. They have been returned to me. And outside of that I know nothing about what was offered before the grand jury.

I only read this indictment here in your hearing so that you may have a clear idea as to what the nature of the charge was. I appreciate, as was suggested by our friend over here, that the returning of an indictment against an individual does not necessarily mean that he is guilty of the crime with which he is charged. But when I say to you that I know that the original contract, and I have a copy of it here in my files, photostatic copy in my files—any member of this committee may have access to it. It makes no recitation of this special agreement at all, these outside, these under-the-table half million dollar contracts, which was to put a half million dollars in addition to this salary which was provided in the contract into the hands of the officers of the Modern Brotherhood of America and one or two other persons that I shall mention in a moment.

Now this meeting was held in Chicago in accordance with these notices that were sent out, on the 9th day of December. On the 9th day of December from New York City, where Mr. Clark then was, was sent this telegram. It is addressed to Mr. Cless, and it bears date of December 9, 1931, at 10:00 o'clock at night:

Deputy Commissioner of Insurance,
212 6th Ave.,
Des Moines, Iowa.

I have previously approved contract merger Modern Brotherhood with Foresters. Stop today in Chicago. Supreme convention Modern Brotherhood approves merger. They will present papers to complete merger to you Thursday.

And I ask you to note carefully the language which follows:
Execute them promptly heading off litigation.

Chairman Knudson: One of the members has just suggested that we want to hear both sides, and we are wondering how long it will take. We want to give you ample time. Do you suppose you can close your remarks in twenty minutes?

Mr. Havner: I simply say this. If the evidence in this matter, if the evidence of the fraud, or what the policyholders claim, or certain of the policyholders claim the fraud was, if I am to give into the record the written evidence of it and where it may be found, I could not do it in twenty minutes.

Chairman Knudson: General, I am just asking because a member of the committee wanted the information. I am perfectly willing to stay here so long as may be necessary to hear both sides. Possibly a division of time might be arranged. I don't want to be understood that I am trying in any way to preclude any evidence you might wish to put in the record.

Representative Sours: I would like to ask Mr. Havner how long he figures it would take. We are busy with other meetings.

Mr. Havner: It is now just two o'clock. I don't know just how long I have been talking now myself.

Representative Sours: Three-quarters of an hour.

Mr. Havner: I could not do it in less time than I have had, at the very best. I say that frankly to you.

Chairman Knudson: We all have a lot of committee meetings, I think this is an important matter. We have been waiting here for a long time. I will ask the indulgence of the committee, as many as can to hear this just as fully as possible. What is the wish of the committee? We certainly want to hear Mr. Clark, who has been invited here, when Mr. Havner is through.

Representative Sours: I want to ask the General again, how long he thinks it would take. We want to give you all the time that is necessary.

Mr. Havner: I will tell you. If you have—I might just as well say now that if you folks have to go at three o'clock, of course you could not possibly—at least I don't think you could possibly hear both sides of the matter this afternoon, if you have to go at three. I think it would be impossible.

Chairman Knudson: I would just like to suggest, since we are here and we have asked the two sides to appear, that possibly some of the members of this committee could afford to forego some of your other assignments we might have I am willing to do it.

Mr. Havner: In answer to this, Mr. Chairman, I think I could complete

a statement in approximately the same time that I have consumed up to the present time. I will do the very best I can to do it. That would be the best I could do, I know.

Chairman Knudson: Is that agreeable to the committee?

Representative Sours: That is all right.

Mr. Havner: As I said a moment ago, I want to call the committee's attention particularly to this one statement which appears in this wire:

Execute them promptly heading off litigation Stop Kirk and I have gone over details Dormedy has other papers.

E. W. CLARK, *Commissioner of Insurance.*

In accordance with that wire Mr. Cless on the 10th day of December, 1931, approved this contract, and on the 14th day of December, 1931, Mr. Clark issued another approval of it. I will not take time to refer to those. I have copies of them here in my record, if any member of the committee desires. I will be very glad to show them, photostatic copies.

Senator Elthon: Could I ask you a question? In regard to these approvals you speak of, it is understood that—it should be understood by the committee that the approval pertains specifically to the contract or plan of merger that was passed on November 23d?

Mr. Havner: That is exactly so, sir. Not only that, but I will say to you that I have here in my file also, which I will be very glad to show to any member of the committee, a deposition, copy of a deposition which I took of Mr. Clark himself, in which he testifies as to the fact that it was the contract which was on file with him which was approved.

Senator Elthon: Mr. Havner, you mention another contract, side contract. You don't mean that?

Mr. Havner: That was never presented to anyone except the wrongdoers, as we claim in this matter.

Senator Elthon: I wanted that understood. You don't want to state that Mr. Clark approved the side contract at any time?

Mr. Havner: No, sir. Oh, no. If I gave any such inference, as that I will say to the committee I did not intend to give any such inference as that, because so far as the record is concerned, and I say that to you perfectly frankly, so far as the record of the approval is concerned there is no record in the approvals that Mr. Clark was approving anything except this contract, the copy of the contract which was on file with him.

Now following this approval, which came from Mr. Clark—I might say that in this same deposition which I took of Mr. Clark—I have a copy of it here which I will gladly show, as I said—I asked Mr. Clark if he stopped in Chicago as he came back from New York. He was in New York attending a convention. The testimony in that deposition shows that he was there attending a convention of the commissioners of insurance of the United States. I asked him if he stopped in Chicago and had any talk with any of the officers of the Modern Brotherhood of America. He said he did not. And then—I want to say in fairness to Mr. Clark—on the morning of the day following that he corrected his statement and said that he did stop there and that he saw Mr. Curtis and two other members of the committee, two other members who are mentioned in this indictment, at the Del Prado Hotel.

The witness can be produced also, if it is desired, who will testify that Mr. Clark stopped in Chicago and saw Mr. Curtis—that is this man who I will refer to later—as he went down to New York before this convention was held. And after this there was simply an exchange of letters between the department of insurance in regard to a matter about which there was some dispute. And finally Mr. Finlayson, who is the insurance commissioner of Canada, sent out a letter—I am getting too fast.

Within a very short time after—the exact time I cannot state, some of these contracts reached the parties at one time and some at another, but I will give you one of them here—these secret contracts now that I am talking about. Here is a man who was one of the vice presidents, as I recollect it. And it is written to Mr. Clark, as the commissioner of insurance of the state of Iowa, and it bears date of November 23, 1932. He said:

“I have your favor of the 17th inst. and note carefully all you have to say.

“From your letter it seems that you have no knowledge of any payments other than provided for in the merger agreement, and I can assure you that all the boys told me was what the merger provided for and that I knew absolutely nothing about the special contracts or the payment of any cash money.

“About two weeks after the Chicago convention I received a communication—remember that was on December 9, 1931—from Brother Hand enclosing duplicate contracts appointing me special attorney for the state of Iowa for a period of three years.”

By the way, this matter was handled so that in the first place this man Parks was to make these payments, making them secretly. There was no open contract about it at all. It was simply a word of mouth matter. And following, or I think it was at the very time of the meeting in Chicago but not at that meeting, but at a secret meeting where the members of this board of directors were together, Mr. Willard Knight insisted that instead of taking a contract of Parks, the verbal contract of Parks, that he would pay these men this secret money, that they wanted a contract from the Independent Order of Foresters and demanded that that be made. And now those contracts were made then, and that is the contract that is referred to here by Hanley, and in each one now, of these members of the board that were indicted together with certain other parties that I will refer to later, all got a contract of that kind directly from the Independent Order of Foresters.

Prior to the receipt of these contracts, however, they had received from this man Parks three hundred thousand (300,000) dollars, and here is the photostatic copies of the checks. I will read just one or two of them—just two of them that I have in mind that I want to call your attention to particularly.

One of them is Albert Hass, the president, secretly, not mentioned in the contract which was on file with Mr. Clark, who received forty thousand (40,000) dollars, and as I said to you men I can produce the witness who will testify that Mr. Hass paid them five thousand (5,000) dollars—promised it to them if they would do certain things in connection with bringing

about this merger. That witness delivered the votes in Chicago in accordance with that promise.

Mr. Hass got secretly, and here is the way his checks, the most of them were negotiated in a broker's office in New York City, Stranahan, Harris & Company, with his signature on them. I don't know whether any of you men here are acquainted with his signature. I am. That is the genuine signature of Albert Hass, and the endorsement on every other check. I mean it is a correct photostatic copy of it, and every other check.

And these checks now, be it said, were all uncovered by the examiners, the convention examiners, who went down there, one of whom sits here in this room, Mr. Armstrong, whose name is attached to the report of the examination of the Independent Order of Foresters made after this time.

Then the other one is W. P. Curtis. W. P. Curtis got eighty-eight thousand (88,000) dollars of this secret money, eighty-eight thousand (88,000) dollars. I am not myself familiar with Mr. Curtis' handwriting. I could not personally testify, but I will say this, I have personally examined the witnesses who can testify that the signature which is attached to each one of those checks is the genuine signature of W. P. Curtis. And I have these checks, these photostatic copies of these checks.

Now a few of these checks were cashed in Chicago by Mr. Curtis, but most of them were cashed in the office of Stranahan & Harris in New York City, and here on this table are the three hundred thousand (300,000) dollars of checks that were secretly taken by these men.

Now that was paid, I want to say to this committee, by the Independent Order of Foresters, and this is the way it was handled. There was two checks, one of one hundred thousand (100,000) dollars and one for two hundred thousand (200,000) dollars. Mr. Hand came to New York City and met this man Parks, C. R. Parks. He went with Parks to this Forty-second street branch, I think I am right as to Forty-second street—he went to this Forty-second street branch and identified Mr. Parks and Mr. Parks cashed the two checks, put the money in the National City Bank, Forty-second street branch of the National City Bank, and then had these demand certificates issued against it which bear the endorsement of these directors, and they received the money on these checks.

Now following this, in connection with this examination Mr. Armstrong went with one or two—one other of the examiners who was there in this convention examination, went down to New York City and through their efforts they secured the cooperation of the insurance department of the state of New York, who had the power under their statute to swear witnesses, and they swore the witnesses, this witness who made out these checks, made out these certificates, and that was the way that the photostatic copies of these checks were secured through and on account of this work by Mr. Armstrong.

When Mr. Armstrong went back that was the first time that Mr. Hand ever would admit that there was—that any money was paid, that he knew anything about that, but when Mr. Hand was confronted with these checks and the fact that he had identified this man who cashed them, this man Parks who cashed them, he said, "We were not supposed to know where that money was going, but of course we did." That is Mr. Hand,

who bears the office of chief ranger, which corresponds to that of president of the Independent Order of Foresters. That statement was made to Mr. Armstrong, who was then the chief examiner for the examination of the Independent Order of Foresters which was then being held in Toronto, Canada.

Now there was a report made by these examiners. But just before this examination—that was in '32, wasn't it—1933. Just before this was when this letter of Hanley's was written, which I want to read to you.

I want to say this, I asked Mr. Armstrong to come here this afternoon because there were certain of the details in connection with this matter which I would not trust my memory with, which I wanted him here so if you wanted to ask any questions in regard to the matter you could.

This is the letter which Mr. Hanley, one of the vice presidents, wrote to Mr. Clark:

"About two weeks after the Chicago convention I received a communication from Brother Hand enclosing duplicate contracts appointing me special attorney for the state of Iowa for a period of three (3) years, the contract providing that I should look after the society's affairs in this state in all matters that may arise, and in his letter said it was but a slight recognition of my services to the society in the past and that the Foresters in executing the contract had in mind my brother Tom and his connection with fraternal work."

I want to say this, there was not a word in those contracts, not one of them, that provided that any kind of service should be rendered—not a one, not one of them. And in one of them, the one that Curtis got, it provided in case of his death that payments were to be made to his wife. In case of his death the payments were to be made to his wife.

"I was agreeably surprised, of course, upon receiving the contracts, and I signed them both, retaining one as directed by Mr. Hand, and mailing the other back to Toronto. You know I have been out in the jurisdiction of the society many, many times with Albert, and all I received was my actual expenses, as until about a year ago I was not a salaried officer and I think Mr. Hand took this into consideration in appointing me special attorney for Iowa.

"Along about June 1st last I received a letter from the commissioner of Canada with schedule of payments to be made to the different officials, and I was shocked beyond expression to know that more than three hundred thousand (300,000) dollars had been paid in cash and that the boys in addition were to be paid monthly under their special agreements. They never took me into their confidence at any time about the special contract or any lump sum payment, but immediately upon the receipt of the letter from the insurance commissioner of Canada they telephoned me to meet them in Chicago which I did."

The insurance commissioner of Canada wrote a note to every one of those men and told them just what the other fellow was to get, the way it was handled, and that is what stirred up the fuss, when the insurance commissioner, Mr. G. P. Finlayson wrote the letter and told each one of them what the other shyster was to get. I use that term advisedly, because any man who holds an official position of trust and accepts money

secretly as it was accepted, that term is a very mild term to apply to him, a very mild term to apply to him.

"And when they called for my advice I told them to refund the money they had received, to cancel the contracts, which they were not inclined to do. One of the boys, Willard Knight, I believe, said he would give anything if he were in my position, as they had nothing on me, which, of course, was true. Had the boys, advised me of the intended graft I would have exposed them, even though it might have deferred the merger, which, of course, was absolutely necessary."

This is the statement of the vice president of the Modern Brotherhood of America, one of them, Jim Hanley, of Davenport.

"Had the boys advised me of the intended graft I would have exposed them, even though it might have deferred the merger, which, of course, was absolutely necessary. I am sorry the boys indulged in such a game, as it has caused me to lose respect for all of them, even though I had little confidence in some of them for many years back."

Then there is a paragraph in regard to a certain eight hundred ninety thousand (890,000) dollars: "I am not familiar with all of the terms of the merger agreement and have not a copy before me, and, therefore, would like to inquire in what way there was to be set aside for the concession members securities amounting to eight hundred ninety thousand (890,000) dollars as mentioned in your letter. Do I understand that the money paid in cash and the special contracts aggregating eight hundred thousand (800,000) dollars or nine hundred thousand (900,000) dollars is what you complain about, and do I understand that the boys took securities that belonged to the concession members?"

Now notice. I ask you to pay particular attention to this: "I drove to Toronto last August and had quite a talk with the officials of the company, all of them but Mr. Hand who was in Europe, and Mr. Robertson, acting chief ranger, gave me to understand that the money taken by the boys was taken from the concession members, and because thereof my new rate and your new rate and the new rates of the other concession members were higher than if the boys had not grabbed this money and entered into the special contracts. I will thank you very much if you will put me right in this manner, so that when I see the gang I can be in a position to talk intelligently to them."

"I think the highest compliment they could have paid me was not to tell me of their deviltry, as they knew I would not stand for it.

"I have not heard from Mr. Hand since his return to Toronto on the 12th ult., though he wrote me before leaving on his vacation that I would hear from him immediately upon his return home. Dr. Curtis on several occasions has told me and once wrote me that if I were to cooperate with his gang it would hasten an adjustment of the entire affair, to which I replied that I was willing to cooperate with them and do anything honorable to settle the matter, and I wrote the other boys along the same line, including a letter to Sam Sparrow, who wrote back that he could attend to his own affairs without any aid or assistance from me and that he did not need my cooperation."

I want to say this, that I have interviewed Jim Hanley myself, and the

only thing that I am making these statements for is that the committee may have all of the evidence. I have only the interest of a lawyer, as I told you, about it, and I am interested in this prosecution suit, as any good citizen ought to be interested in it, to see that any man who did wrong is brought to justice. To that extent I am interested in it. But Jim Hanley told me that in an interview in Chicago, these men all admitted to him their wrongdoing in connection with this three hundred thousand (300,000) dollars and their wrongdoing in connection with the schedule which I have here, which shows the payments that were to be made to all of these fellows. And here they are. I will not take the time to read them into the record. Suffice it to say that the total amount was seven hundred eighty-five thousand seven hundred ninety-five (785,795) dollars and twenty (20) cents, which is a neat little sum. That is what they were to get.

Now there was one man who was to get some money who was not an officer, Leslie H. Alden. And note this, he was to get it in one of secret contracts, twenty-four thousand (24,000) dollars.

I said to Hanley, "Did you have any talk with anybody in regard to that matter and as to why they were paying Alden that?" He said, "I asked them why they were paying Alden, and Mr. Curtis said, he might have been my brother-in-law; he might have been John Smith's brother-in-law; and he might not be getting the money at all." Then he said, that in another conversation with Curtis that Curtis told him—and I say this now so that there may be no misunderstanding—this is not binding upon Mr. Clark, but it is binding on Curtis, that Curtis told him that they had to pay Mr. Clark ten (10) or fifteen thousand (15,000) dollars. I am simply stating the statement which Hanley made to me in my interview with him concerning what occurred in Chicago.

Now as I said to you men, the question in this criminal matter does not concern this committee except that it shows what a grand jury for the northern district of Iowa thought of certain facts that were presented to them. I don't know what those facts were myself. I was not there, and I have not had the opportunity of talking with Mr. Dunn as to what facts he presented to the grand jury, so I don't know. But Mr. Dunn is available to this committee, so that any information which he has is available to them, I am quite certain.

Now as to whether this matter reflects on Mr. Clark personally I have no concern about that—not in the least. This is a vastly different proposition than that.

I had the honor at one time to serve my state in the capacity of a state officer, and I want to say to this committee, and I lay down the challenge, that so far as any official acts that I ever performed, if any man had laid charges down as to it I would have invited an examination of anything connected with my office. And I say that this is not a question of the individual; it is a question of getting before you men the facts which will enable you to prevent there ever being again a merger with any company outside of the confines of the United States, because when you come to analyze the facts in this matter you will see the importance of them, why that should not be done.

And then there ought to be a penalty—there ought to be a penalty visited upon any man who receives money as it was received here—these men. There ought to be legislation which would make that kind of a thing subject to a penalty. There ought to be legislation, in my judgment, which would absolutely nullify a contract entered into under any such circumstances as this contract was entered into.

And now, as I said a moment ago, this is not a question of an attack upon Mr. Clark or an attack upon anyone connected with his department, as far as I am personally concerned. I am tremendously, and I want to give you a little experience that I had—I will not give the names, because it is not necessary. There was a merger contract presented when I sat across the hall over here. It is the law of this state that a merger contract must be approved by the insurance commission. The attorney general, the insurance commissioner and the governor constitute the insurance commission. When that contract was presented to me I had certain complaints on my table from stockholders of that company, or one of the companies, the Iowa company that was being merged. I refused to join in that until I had an affidavit from the officer, the chief officer of both of the companies that no secret payments were being made other than what was recited in the contract.

And what was my surprise, about two years afterwards, in connection with my law practice, after I went out of office, what was my utter astonishment to find lying in the till of the company with whom the merger was made a contract to pay secretly one of these men who signed the affidavit to me that no other payment was to be made, a contract to pay him secretly fifty thousand (50,000) dollars.

As I said, what I am pleading for here, as far as I am concerned, is not a question of personality; it is a question of placing upon the statute books of the state of Iowa such legislation that such damnable business as this must stop once and forever.

Now the question of—

Senator Elthon: Would you yield to a question? Do you propose to pass any law in our state that will stop secret contracts?

Mr. Havner: Well, of course, as I said a while ago if you made a penalty, and absolutely provide that whenever any merger contract was presented that the company with whom the merger contract was being made, and particularly a company like this, had to deposit for the protection of that particular contract enough money, and it ought to be a large enough sum so that there would not be any question about it, and if they had in any way over-reached or been guilty of any fraud in connection with it, that the whole amount would be forfeited. You have a right to do that. And then if a thing has been uncovered, as I think it has been in connection with this matter, there would be some chance.

And there ought to be another statute. There ought to be a statute enacted so that it would be the duty of the state herself, and I say this advisedly, that it would be the duty of the state herself to prosecute them on behalf of the policyholders in a suit of this kind.

Think of a situation like this. Here is a set of poor, unfortunate fellows who have not a dollar in the world, most of them. The only thing

in the world that they have to leave to their families is the one thousand (1,000) or two thousand (2,000) dollars of insurance. They are scattered all over your state. They have not the money, they have not the means to put up a battle on this. It ought to be the law of the state of Iowa that whenever a merger contract is approved by her officers, as it was here, that when a wrong has been done that it would be the duty of the state herself, and that she would have the right under the contract—make it a part of the contract—she would have the right to prosecute this suit for and on their behalf, and that there would be forfeited whatever amount of money, and it ought to be a large enough sum so that nobody would be pulling off the kind of a job that was pulled off in this case. And it can be done; no question about it. It is a question of getting your statutes amended.

Representative Hickenlooper: Could I ask the General a question?

Mr. Havner: I will be glad to have you.

Representative Hickenlooper: Then you advocate a forfeiture which will still further prejudice the rights of the poor unfortunate policyholders, is that it?

Mr. Havner: No, no.

Representative Hickenlooper. Do I understand that they should put up an amount of money which would be automatically forfeited?

Mr. Havner: Forfeited to the policyholders who are wronged; to the policyholders who are wronged.

Here is what happened: I tell you men so that there may be no misunderstanding about the matter. My friend Perry, who sits across the table—and this lawsuit hasn't any place in here except that particularly. I thought it was proper that you should know my own personal situation today when I rose.

When we sought to bring suit for these policyholders, my friend Perry, and the court has sustained him in his contention—that is, the lower court has—we are on the road with our appeal. I don't know what the result will be. But the lower court has held that we cannot prosecute that suit down here at all. We cannot prosecute it down here at all. Now that won't do me any good. Any legislation which you would pass would do me no good and would do my clients in this case no good.

But, my dear members of this legislature, for Heaven's sake fix it so that this kind of a thing cannot be repeated again. Now then what the court has held is, if we are to have any redress we have got to go to Canada to bring the suit for those men who were here and who—while it is true it was approved by their representatives by fraud in this meeting in Chicago.

Senator Donohue: You made reference to one statement that this man Curtis had made to Hanley.

Mr. Havner: Yes, sir. I said to you then that the only—

Senator Donohue: The only object of this meeting is to determine whether or not the legislature should investigate the insurance commissioner of Iowa on this deal. Is there any evidence other than that statement of any payments having been made?

Mr. Havner: I had not intended to mention this, but inasmuch as you

have asked it I will very gladly give it to you. You be your own judge. I have the abstract here in my office. Then you may be your own judges. I do not think that this ought to go into a matter of personalities, but I am perfectly willing to give you this. Mr. Clark approved this contract first on the 23rd day of November. On that day—

Senator Elthon: Before you go any further—you say first on the 23rd day of November? That is the only contract that he ever approved.

Mr. Havner: He approved the contract which was approved in Chicago.

Senator Elthon: The same contract?

Mr. Havner: Yes, that is correct. You are quite right about that. At least he so testified, and I assume it is correct. I know nothing to the contrary. I don't know that he ever personally had submitted to him any of these secret contracts. I cannot prove that, and I say that to you very frankly.

Representative Hickenlooper: You made some statement here in regard to twenty-four thousand (24,000) dollars, and then some statement that it might have gone to somebody else. I didn't quite get it.

Mr. Havner: The inquiry was made of Mr. Curtis why these payments there were made. I will take just a moment. I will get them into your record. Here are the fellows to whom payments were to be made, and I have this analyzed here. This is a photostatic copy of what was attached to the report of the insurance commissioners when they examined the Independent Order of Foresters, a copy of the statement received and sent out also from the insurance commissioner of Canada. Albert Hass, James A. Hanley, A. L. Sherin, E. A. D. Bell, W. P. Curtis, Frank C. Parnell, Willard A. Knight, P. A. Badour, Escar Floyd, and Sam Sparrow. And eight deputies now. They are not named individually. Now the amount attempted to be paid to them under the merger agreement was two hundred thirty-two thousand (232,000) dollars. That is what was to be paid them. Now then there was to be paid under these secret agreements to these same parties two hundred twenty-eight thousand seven hundred ninety-eight (228,798) dollars and thirty-six (36) cents in monthly payments, and then in addition to that the payments which were made here.

Senator Donohue: What was that?

Mr. Havner: Three hundred thousand (300,000) dollars.

Representative Hickenlooper: Mr. Havner, this resolution is very full of provisions for the investigation of the insurance department of Iowa generally, and other references. I want to know, and I think the question which these men—

Mr. Havner: I want to answer Mr. Donohue's question. I think it is fair that I do. On the 23rd day of November when this contract was approved, Mr. Clark, the Shaible estate and another party whose name just slips me just now, owed to the Modern Brotherhood of America on a mortgage—my recollection is fifteen thousand (15,000) dollars, but the amount of the mortgage is not material. The Shaible estate is very well to do. Mrs. Shaible makes a return up there—she was living right in Cerro Gordo county—on which she had to pay between sixty thousand

(60,000) and seventy thousand (70,000) dollars worth of bills receivable, let alone all the other property she possessed. Three days after this contract was approved by Mr. Clark, who held this mortgage in his office down here as trustee under the laws of this state, that mortgage was taken out. It was cancelled. The note which secured it, on which there was not a dime's worth of past due interest—not a dime's worth, and a mortgage given by a man who did not have a dollar's worth of responsibility. There has never been a dime's worth of taxes or a dime's worth of interest paid on that mortgage from that day to this. I have the transfers here. I have the abstract. I am not making any—as I say, I don't want this to get into a matter of personalities, but I was asked the question and I very gladly give it to you.

Representative Hickenlooper: The thing I am interested in, of course, is, is there any evidence of any wrong-doing on the part of our own insurance department? I take it that these men who took this money are being prosecuted now, and probably justifiably so, no doubt, under the facts as you have stated them. Now, do you have any evidence at all that the insurance department of the state of Iowa knew anything about these secret agreements at or immediately or within a sufficiently short time following the approval of this contract? Do you have any evidence that the insurance department, or any member of it, knew anything about these secret propositions at the time this contract was approved, or that any payments were made, other than the statements you made a while ago?

Mr. Havner: I leave that to the committee, of course. They must be the judges. That is why I called your attention to this telegram which was sent by Mr. Clark. I will read it.

Representative Hickenlooper: You have read it several times.

Mr. Havner: No, I have only read it once.

Representative Hickenlooper: I believe you have read it twice at least.

Mr. Havner: I beg your pardon.

Representative Hickenlooper: Been gone over thoroughly.

Mr. Havner: I don't understand why, if this was a perfectly fair, open and above-board proposition, and the commissioner knew it was, I cannot quite understand why any man would be afraid of litigation.

Commissioner Clark: I will tell you, when I get to it.

Mr. Havner: I don't understand why there should be any litigation about the matter myself.

Senator Donohue: Just one other question. Does the three hundred thousand (300,000) dollars—do they show distribution to these various parties?

Mr. Havner: Yes.

Senator Donohue: The three hundred thousand (300,000) dollars is all accounted for by virtue of those checks?

Mr. Havner: Yes, sir. Sure. Correct.

Senator Donohue: You mentioned twenty-four thousand (24,000) dollars.

Mr. Havner: I think it is four thousand (4,000) dollars which Parks has

said—yes, Parks has said went to Curtis. That is all I know. Other than that it is all accounted for.

Senator Donohue: Where was the twenty-four thousand (24,000) dollars that you mentioned?

Mr. Havner: The twenty-four thousand (24,000) dollar item is the item which went to this man Alden who, as I am informed—I don't know this, but as I am informed—I have examined witnesses who say that it is true—that he was Curtis' son-in-law. And it was when Curtis was being examined as to why this payment was made to Alden that this statement was made about Mr. Clark, when Mr. Curtis was being examined by Hanley as to why this payment was made to Alden, who was not an officer, had no official relationship to the company at all.

Representative Hickenlooper: Do I understand, Mr. Havner, that you have stated now all of the facts or all of the conclusions that might be deemed direct evidence or directly bearing upon any knowledge the insurance department of the state of Iowa might have had as to these secret agreements?

Mr. Havner: No, I do not think so.

Representative Hickenlooper: Is there any other direct evidence here that the insurance department of Iowa had any knowledge at approximately the time of the approval of these contracts of those secret agreements?

Mr. Havner: Well, I think that there is, yes. I think there is.

Representative Sours: I would like to ask the gentleman a question. I did not get it clearly in my mind who Mr. Hanley is.

Mr. Havner: James A. Hanley is a brother of Tom Hanley, who was the man who helped in the organization of this company at Tipton, Iowa. He was, as I recollect it now, the vice president of this company at the time this merger took place.

Representative Sours: Was this man subpoenaed before the grand jury that heard this case, this man Hanley?

Mr. Havner: Well, I understand he was. I could not say. I only know that from hearsay.

Representative Sours: You do not have any knowledge as to what his evidence was?

Mr. Havner: I do. I had it from Mr. Hanley's own statement that he appeared before the grand jury. But he did not tell me what he testified.

Representative Sours: Did he accuse Mr. Clark of receiving between fourteen thousand (14,000) and fifteen thousand (15,000) dollars?

Mr. Havner: No.

Representative Sours: I got it from your statement that he accused him.

Mr. Havner: All I said was what Curtis said to him when he was talking to Mr. Curtis, and I stated that.

Representative Sours: No direct evidence then.

Mr. Havner: I said at the time I made the statement, if you remember, I said that it would not be binding upon Mr. Clark, but it would be binding upon Mr. Curtis.

Senator Donohue: Where is Curtis?

Mr. Havner: Curtis is in Chicago. At least he was. That is where he lives.

Senator Donohue: Is there such a person as Alden?

Mr. Havner: Why, yes, sure. He is a brother-in-law of Curtis, so I am told.

Representative Hickenlooper: Has any attempt ever been made to get Mr. Curtis to come here and submit himself to examination?

Mr. Havner: I don't know whether there has or not. Yes, I know there was. I know that the post-office department tried to get him. They tried to interview him and they could not get an interview with him. I know that. That is, I know that from their statement to me. That is all I know.

Senator McArthur: Where did you get these photostatic copies?

Mr. Havner: These photostatic copies were secured from one of the officers who was connected with the insurance commissioners organization of the United States and was connected with the examination of the Independent Order of Foresters.

Senator McArthur: The Iowa office represented?

Mr. Havner: This office was represented by this gentlemen who sits right over here. Yes, sir, he was there. I should say this, too. Prior to that time Mr. Clark had had two men down there who brought home—I don't know just what time it was, but some time in the spring of the year 1932—I don't remember the very exact date. Two men, I think Mr. Gillstrap—I don't know who the other gentleman was now, but they were connected with this department.

Senator McArthur: As a matter of fact, this material was dug up by Mr. Clark's department?

Mr. Havner: I would say it was dug up by Mr. Armstrong, who represented Mr. Clark's department. Correct. That is correct. Of course this was gotten, however—there is no record of this in the office of the commissioner, however, except as these are shown on this. They were not to be found. I got this through the officers of the national organization.

Representative Sours: Considering the condition of the M. B. A. at the time of the merger, outside of this secret contract, do you consider the contract made with the sanction of the insurance commissioner as an advantageous contract for the policyholders?

Mr. Havner: Well, of course that is a matter about which there will be a very great difference of opinion. But I want to say to you this. I have had something to do with merger contracts. I think I know something about them, if you will pardon me. I think that this is one of the most vicious contracts that was ever made, as far as the twenty-three million (23,000,000) of these inadequate rate members were concerned, and as far as the other members are concerned. Yes, of course I think that the merger with a concern like the Independent Order of Foresters, personally I think that a merger with a concern like that outside of the confines of the United States is always a dangerous thing. But leave that out of the question. So far as these inadequate rate members are concerned, I think that the contract is perfectly vicious.

Representative Sours: For these inadequate rates in beneficiary societies, what do these people buy?

Mr. Havner: Beg pardon?

Representative Sours: These beneficiary societies, what do these people buy outside of protection at the present time?

Mr. Havner: Well, of course, they had in their assets that belonged to them—that belonged to them—more than, or approximately—I will put it that way—approximately eight millions (8,000,000) of dollars. Approximately eight millions (8,000,000) of dollars.

Representative Sours: The way I understand—I may be mistaken, but the way I understand beneficiary societies, it does not provide for a reserve fund or a guaranty fund.

Mr. Havner: I never, and I say this to you perfectly frankly—I never carry a policy of this kind myself, because I have always had the very criticism which you have offered. But the men who did carry this—the point I am making about that is, these men who carried it, they took it out in good faith.

Representative Sours: Then in your opinion, the laws—if the laws are amended it should be made so that beneficiary societies could carry a reserve so that they would have some protection. Would you advise that?

Mr. Havner: I don't think—I would say, as far as I am concerned I would say that there is not any question about that. I would say that without any question. But most of the assets which belonged to these people, and under the contract there was to be a reserve set up, first for the two adequate rate classes.

Representative Sours: Did the adequate rate classes pay into this reserve fund and the other fellows did not; isn't that a fact?

Mr. Havner: Of course you know there is no such thing as to the books. I am not criticising that, but it was the basis of this contract. Here was the joker in the contract. Let's put it that way. The joker in this contract was that they provided that everyone in this inadequate rate should be immediately raised to an adequate basis. Now at the same time they provided that they should take out one year's insurance for this inadequate rate class. And this man Parks was to rewrite this insurance and was to get two (2) dollars a thousand (1000) for rewriting it into an adequate rate basis. Mark you, that the contract provided that they should be immediately raised to an adequate rate, and then Parks was given—Parks was given two (2) dollars a thousand (1000) to go out and write these fellows this, on a policy running directly to the Independent Order of Foresters, when by the very terms of the contract itself they were placed on an adequate rate, and then these men had no way in the world by which they were protected in this, in my judgment.

Of course, as I say, there will be a difference of opinion about that. But I think, as I said awhile ago, so far as the inadequate rate class is concerned, there is not any company—there is not any company in the United States who would not have been perfectly willing to have written it, if it had not been—these poor unfortunate devils, because I use that term because I think they were—they would do just what these men have done. Hundreds and hundreds and hundreds and hundreds of them. Of course when they went to the adequate rate, instead of being permitted to have the benefit of what they did and continue on that basis, they were

placed on the adequate rate and they could not pay it and they simply passed out of the picture.

Senator Donohue: Suppose they had continued under the inadequate rate?

Mr. Havner: They would at least have had the benefit of the kind of insurance that they had started out to buy in the first instance, Mr. Donohue, and nobody could have complained about that.

Senator Donohue: Would the company have paid on that basis?

Mr. Havner: They could have paid up to the full amount of the reserve which belonged to those men.

Representative Hickenlooper: Anyhow. What was the condition of that reserve of the M. B. A. so far as being adequate? What percentage would that reserve have covered had the merger not gone through?

Mr. Havner: That is an actuarial problem I could not answer. That I could not answer. You ask me from an actuarial standpoint.

Representative Hickenlooper: My point is, were they benefited from a dollars and cents standpoint in value received after the merger, or did they suffer a detriment there in dollars and cents?

Mr. Havner: Of course, as I said, there will be a difference of opinion in regard to that. I understand that very well.

Senator Shangle: I would like to ask a question and see if I have got the record straight. The provision was these officers were to get a salary, some of them fifteen thousand (15,000) dollars a year, for four years; and one of them, if he died, his wife was to get it. Was that part of the merger contract approved by the insurance department?

Mr. Havner: Well, the only one who was to get fifteen thousand (15,000) was Albert Hass. That was approved by the insurance department.

Senator Shangle: What service was Hass to render?

Mr. Havner: I don't know. It didn't say. I don't know anything in addition to the contract. He got another forty in addition to the contract. He got another forty in addition to that, under the table, the secret contract. Under the table he got forty.

Representative Treimer: I would like to ask just one question. What is the present status of the civil actions that you mentioned that have been brought?

Mr. Havner: The present status of the civil cases is this. One thing may be of interest to the committee, and inasmuch as you have asked it I will give that to you.

The one in Davenport, which is to recover this three hundred thousand (300,000) dollars for and on behalf of these inadequate rate members. That particular suit that I told you we were prosecuting. And they filed in that, have filed an answer—that is, the Independent Order of Foresters filed answer. Mr. Clark filed answer both individually and as insurance commissioner. Clark filed his answer a long time ago. Mr. Perry filed his not so very long ago. I don't remember the exact date. We had not served the Independent Order of Foresters and had not made them parties until some time ago. I say this in fairness to Mr. Perry and his client, that very promptly after they were made parties that they plead. Then we have filed, and then Mr. Bell and Mr.

Sherin have filed answer, and Mr. Hass has filed an answer in there, and in that they set out a settlement which they say was made between the joint wrongdoers.

Using the vernacular of the street, there are two bunches of horse-thieves get together and they settle the rights of the man who had his horse stolen without consulting with the man whose horse was stolen. That is about the situation. That is about what they did, too. They got together in Chicago, the officers, these wrongdoing officers of the M. B. A. and, we claim, the wrongdoing officers of the Independent Order of Foresters, got together in Chicago and made this contract of settlement which they plead.

Now we have plead in the reply that the pretended settlement itself was a fraud, and that matter is the status—that the replies have been filed in that, and that is the status, and that will come on in due course of time for trial at Davenport.

In the other case, in the one we prepared, too, where we commenced an action for and on behalf of these policyholders to recover what we thought was the place where they undertook to take out of them, not eight hundred ninety thousand (890,000) dollars as was stated in a number of letters which Mr. Clark had in his own file, but over a million dollars, Mr. Perry raised the question—perfectly properly so, because it is a law question—that we had no right to sue them down here, notwithstanding the fact that that contract was entered into here in this state, and notwithstanding the fact that under the terms of that contract certain of the assets were to be kept here in this state, raised the question that we had no right to sue them down here even for a specific performance of that contract. And the court held with him. Now we are on our appeal, we are getting ready with our appeal to the Circuit Court of Appeals. That is in the Federal court for the northern district of Iowa.

I do not criticize Mr. Perry for raising the question. Perfectly proper for him to raise the question. But I am telling you men that that is the reason why I am saying we ought to have some legislation so that never again can anybody make a contract of this kind, get out of the jurisdiction not only of the state of Iowa but of the United States, where even process from the courts of the United States will not bring the records into the state of Iowa. There ought to be some legislation, and there can be, which will protect policyholders from that kind of thing.

Representative Sours: Have you had access to the records in the insurance department?

Mr. Havner: Well, sir, I never have asked for access to any of the records, except in the taking of the deposition of Mr. Clark, and they were furnished to me, so far as I know, at that time. We took Mr. Clark's deposition. I said I had it. We will be very glad to show it to any member of the committee who desires to see a copy of it. We took his deposition. The records were referred to in connection with that. I have in my record here photostatic copies of the most of those. There were some letters which we could not find. For instance, after the insurance commissioner—which seemed to me just a little strange—after the insurance com-

missioner of Canada wrote down here to all these officers, there is not anything in Mr. Clark's record so far as I know, at least none that was shown to us, of the letter which he received, if he did receive it, on the 17th day of November in accordance with Mr. Hanley's letter.

He wrote a letter to Mr. Hanley. The copy of that letter is not here and was not in—and it shows in the deposition that it could not be found. I am not saying Mr. Clark abstracted that letter at all. He said he did not. But it was not in the record. It was not in the office when we took the deposition. At least that is what they said, and I assume that is true. I don't know anything about where it was.

Representative Sours: Do you have the original of this letter?

Mr. Havner: No, I don't now, but I know where I can get one, thank God. I know where I can get one, so that will serve, as far as I am concerned and as far as the trial of any lawsuit is concerned.

As I said to you a while ago, it makes no difference to me what the action is, and it will make no difference as far as any lawsuit that is pending now. You cannot take any action which will help these poor unfortunate individuals. You cannot do that. But you can do this, and it is not any reflection on anybody. You can under the authority which you have enact laws that will prevent a recurrence.

Representative Sours: Would you be willing to draft such a bill?

Mr. Havner: I would gladly devote my time, without money and without price, as a citizen of Iowa, to help to build a statute which will make impossible the recurrence of a thievery like this again.

Representative Sours: I would be glad to present it.

Chairman Knudson: Mr. Clark, the insurance commissioner, will now be granted time.

E. W. Clark, commissioner of insurance of the state of Iowa. Mr. Chairman and gentlemen of the committee. One of the tragedies in holding public office of any kind is the fact that a man must occupy a position where he can be dragged down and his character assailed and his acts reviewed from unfriendly sources.

I am saying to you as God is my judge, no money was received by me for any transaction pertaining to the insurance department other than my salary, nor was there at any time anything of value offered to me or received by me in connection with any of the affairs of this Modern Brotherhood of America other than what I was justly entitled to.

Most everything that has been said here so far has been pertaining to matters of those who have been indicted in connection with this contract. I am not here to defend them. It was our department that dug this evidence up. We are the people who originally found it. There will be some other things that I want to say along that line a little later. But in the meantime I want to present to you just what the situation is relative to these societies.

In the first place, the Independent Order of Foresters is a fraternal society, domiciled in Canada. It is solvent. It was solvent at the time that this merger contract was made. It was a good society as far as its financial standing was concerned. The Modern Brotherhood of America was an insolvent society.

The Modern Brotherhood of America was organized about 1897, on an inadequate rate basis, and it operated on that basis until about the year 1912, when it was found that it was impossible for it to continue to meet its policy contracts for any length of time without some condition or in some manner strengthening its financial structure. From the records it appears that there was a convention called in Denver, Colorado, for the purpose of placing the society on an adequate rate basis. There were many of the delegates present at that time who could not understand why it was necessary that the society be placed on an adequate rate basis. And a compromise was finally entered into between these warring factions, whereby there was an attempt to place the membership on an adequate rate basis, but they were allowed five (5) years in the matter of rerating, which in itself prevented the accomplishment of the purpose that they sought to accomplish. But it did improve their financial condition.

From that time on there was no business of the Modern Brotherhood of America written on any other than the adequate rate basis, and thereafter there were two classes of business. Three-fifths of the business at the time of the merger was inadequate rate business and two-fifths of it was adequate.

It has been said that I was the treasurer of this society. The treasurer died in 1923. At that time I was in the banking business, and in common with all bankers I desired to have the account of the Modern Brotherhood of America. It was presumed to be a good account. I made application for that place and received it. The treasurer of that society under its by-laws has nothing whatever to do with the management of the company. He does not meet with the board of directors in its deliberations except long enough to file a report on what he has done. The money was paid into the bank. The clerks made up the report and sent them back to the head office of the Modern Brotherhood. I had no part whatever in its deliberations or its business policies. In fact, on several occasions when I mentioned certain things I was told that the treasurer had no part in the deliberations of the society.

When I took over this office in the spring or rather in the summer of 1931 I knew from my previous conversations with the former commissioner that one of the first affairs that I would have to meet would be the Modern Brotherhood of America; that it was in bad financial condition. I frequently talked with these officers, who had been my associates and friends, as to their condition; and they assured me that they were endeavoring to reinsure the business of the society and would have a contract to present to the department before there was any danger that they could not meet their policy contracts, in the ordinary course of business.

In due time, along in the fall, I think it was, two of them came to my office with a reinsurance contract. They wanted me to pass on that contract at that time. I told them that it was too much for me to attempt to read it over at that time, but that we would take it and study it; to leave it with us. We studied that contract and we found some objections

to it, and we said we would approve the contract provided that these objections could be corrected and complied with.

One of those was we insisted that the reserves, the money representing the reserves of the society, be kept forever in the state of Iowa; and that was entered into. At the time that we insisted that these objections be met we were told that that would be the end of the contract, that they could not get that approved under those conditions. I made the statement then, if that was the case it would be too bad, but nevertheless it would not be approved unless they did comply with our requirements. They came in one day with those requirements met, and we approved the contract according to the law, and we ordered that they reconvene their supreme convention to pass on that contract. Now there is one thing that I particularly want to call your attention to, and that is, the Modern Brotherhood of America and these fraternal societies are organized and operate under the representative form of government, just the same as the state of Iowa operates. Their supreme convention is the law making body. It has the supreme right to do as it pleases. Their contract is an open contract, and the law provides, and their by-laws provide, that any by-law that is subsequently made following the issuance of the certificate shall be binding on the certificate holder just the same as though it had been in operation at the time the certificate was entered into. It is the supreme body of the society in itself that fixes the salaries.

At the time that we approved the contract the last time we raised the question as to the salaries continuing for four years. That was met by the statement that there would be no change in the manner of the operation of the society, that it was to continue along just the same as it had always continued; that the president of the society would be the assistant chief ranger of the Foresters and would maintain his office the same as he always had at Mason City, and that the other officers of the Modern Brotherhood would continue to function just the same as they had always continued to function. The society itself, its supreme and law-making body, had fixed the salaries. Therefore we approved of it.

Mr. Hand, chief ranger of the Foresters, afterwards made that same statement in a public address in the home town of the Modern Brotherhood before the chamber of commerce at the time they thought the society's headquarters might be removed from the state. He confirmed that statement at that time. Eventually they got into a squabble among themselves and they discharged these officers, but they continued to draw those salaries.

Senator McArthur: I can confirm that remark. I heard it. I was there when he made the address.

Mr. Clark: Thank you, Senator.

Now I don't know, the statement has been made that this was not a good contract. I think that the contract is the best contract of reinsurance that has been entered into by any insurance company, insolvent company with an insurance company that is solvent, that I know of. Now I am not defending for one minute any of these side contracts: These men have been indicted. They must answer for any wrong that they may have done. I am talking about the merger contracts and I am talking

about the part that the insurance department played in that merger contract.

We have merged or put out of business since I have been commissioner of insurance fifteen insurance companies. I have taken part in the merger of many others, and the reinsurance of many others in other states wherein we have been invited in. And I say without any question that this is the best contract of any that I have seen.

It is the custom where a company becomes insolvent to compute the insolvency, the amount of insolvency, how much the assets have been impaired, and then they file a lien against the policy for the amount of this impairment to make it good. In this particular contract the Independent Order of Foresters took the M. B. A. lock, stock and barrel, and insured it one hundred (100) per cent, and it made every policy in that society just as good as it would have been had the assets of the Modern Brotherhood of America been worth one hundred (100) cents on the dollar. Now if that is a poor contract, I would like to see a rotten one.

Mr. Havner has spoken to you about these poor people, the wrong that was done them. Nobody regrets a wrong that is done to anybody in the insurance business, or any place else any more than I do. But that same wrong would have reached to those people had there never been a merger. The Modern Brotherhood of America could have at any time rewritten these same people who were to be rewritten by the Foresters. There has always been a question about this rewriting and about the contract of rewriting companies. Nobody knows it better than Mr. Havner, because he represents one that has been operating all over the United States.

It is because of the attitude of the commissioner of the state of Iowa on these rewriting companies that this trouble has all come. There is much more besides the placid and suave manner in which the General has placed it. There is much more behind this than any of you have any idea.

It is not a question of the Modern Brotherhood of America. If we had the time, I could come in and tell you about the huge attorneys' fees that have been drawn by attorneys in insurance litigation. One of the finest, one of the best, juiciest plums that could possibly be passed out to anybody at any time is to be the attorney for the receiver of a defunct insurance company. They run all the way from five (5) to fifty (50) and seventy-five thousand (75,000) dollars.

It would be much easier for me, if some of the members of the committee desired, to ask me any questions about this at any time, to answer them. But I want to say to you how this evidence was produced.

Immediately after the merger and while they were getting their things in order, their house in order, to transfer their business to Canada, it occurred to us in the insurance department that there might be a possibility that all of the funds of the Modern Brotherhood would not get onto the books of the Foresters. We did not suppose but what they would. We believed that everything would be all right. We did not believe that the Foresters would in any manner take any of the money that belonged to the Modern Brotherhood of America, but we wanted to know. So I sent my first deputy, Mr. Cless, who is with me today, and Mr. Gillstrap,

my chief examiner, to Canada. That was in the spring following the merger. And they went there and they checked the books to see whether the funds had gone on, and found that the funds had, but they found the three hundred thousand (300,000) dollars. Nobody else knew anything about it. They found it. They found these things. They immediately went to the insurance department of Canada, to the chief examiner, and they said, "What about this? You have examined them constantly. What about this?" "Well," they said, "we discovered that. We were going to take it up with you, but we hadn't gotten to it yet."

They returned immediately and told me the situation. I immediately contacted the attorney general's office of this state relative to the matter. I also contacted the commissioner of insurance in Canada. Now remember that in the meantime, after the merger, the society became the creature of the Canada insurance commissioner, not the creature or under the direct supervision of the commissioner of insurance of Iowa. The interest that we had in it was the fact that it had been an Iowa corporation, and an Iowa insurance company, and we were anxious to see that there should be no fraud perpetrated on anybody.

The insurance commissioner of Canada wrote me that he had stopped payment on these so-called continuous contracts, and that he had stopped the payment of these salaries, of this fifteen thousand (15,000) dollars per year. That was stopped after the payment of four months, and that that would have to apply on this three hundred thousand (300,000) dollars, or the proportion that these fellows had drawn out of there, and that he would keep me informed as to any progress that was going on.

At the time that Mr. Havner took the depositions over in our office the letters and records of the department were thrown, strewn all over, and all the attorneys were pawing them right and left. I would not accuse anybody, you understand, of wrongdoing. The furthest thing in my mind is to accuse anybody of anything wrong. But the letter did disappear, and several others. I don't think that anybody took these letters away. I think in the confusion that they just became mixed up in some way.

I went to the attorney general's office many times to consult them relative to my action regarding this merger contract in the light of what had happened. In the meantime the Foresters were thoroughly alive to the fact that they had been nicely hooked. The commissioner of insurance of Iowa was accused personally of having in a way perpetrated a fraud upon the Independent Order of Foresters, in the statement that the commissioner of insurance of Iowa had known what the situation was and had not enlightened and informed the Foresters. My statement in reply to that was that I thought that that was true, only I did not call it a fraud. My business was to protect the insurance societies of the state of Iowa, and I did my best, and they were protected. Their insurance is good today, without a lien on it. And the Royal Union, and the Register, and the Missouri State Life, the National Life of the U. S. A., and all of the rest of them, there is a lien from 40 per cent to 100 per cent on the reserves behind those policies. There is none here. The department of insurance has never left a stone remaining unturned to protect the policyholders

of every insurance company. They stand ready and willing to do it today.

I have had several people say, "Why don't you tell them to investigate you and let it go?" I am not afraid of an investigation. There is nothing that would be brought out in that investigation that has not already been brought out up to date, not a thing in the world. I just simply am busy. I don't like to be razzed and harassed by a lot of lawyers, and, frankly, I don't like to see my name across the headlines of all the newspapers, "Clark accused of this, that and the other."

Now about these indictments. The general tells you he is not interested at all as far as the commissioner of insurance in the state of Iowa is concerned; that all he wants is justice for these policyholders. He went to Canada himself, tried to see if he could dig up anything on the commissioner of insurance of this state. There has been spent in trying to put the insurance commissioner of the state of Iowa out of business, disgrace him before the people of this state, there has been spent by the state of Iowa and by the government of the United States many thousands of dollars. And it likewise has cost me more to defend myself and my actions in here than my salary has amounted to. And I am out just that much money for trying to do a good job for the people of the state of Iowa.

All this information relative to this so-called fifteen thousand (15,000) dollars mortgage we owed the M. B. A. mysteriously was conveyed to the United States government, in some mysterious manner by someone who had no interest in it. And the result was that not only did the postoffice department of this government send out its sleuths, but I have been followed all over this state and all over this city and my personal affairs have been investigated and looked after with the idea of indicting me along with the rest of those people. And not only that, but the income tax department of the United States government mysteriously received notices in some manner that the commissioner of insurance was defrauding the United States government, and my affairs were again checked by the federal people completely.

This United States district attorney, in conversation with me, in so many words told me that had been the attempt of those people, to write me under this indictment; that he had made a thorough and careful investigation and would like to ask me a few questions. Among those questions was this: "You paid off certain indebtedness and the release was made along about the time or a little while after the Foresters took over the Modern Brotherhood of America?" I said, "Yes. I paid the debts off before I became insurance commissioner." He said, "Could you prove that?" Usually the proof is the other way around. I said, "Yes, I can prove it." I brought to him a check with the endorsement of every person, I brought the original evidence of debt. I brought letters that accompanied the checks. I gave him every evidence that all of that was taken care of long before I became commissioner of insurance, with the exception of a small amount which was within thirty days or such a matter.

Representative Hickenlooper: Is that the obligation to which Mr. Havner referred?

Mr. Clark: Yes.

Representative Hickenlooper: Has Mr. Havner ever had personal knowledge—that is, to your knowledge has he ever had personal knowledge that those checks were in existence and that evidence of the payment of that debt?

Mr. Clark: I really don't know whether he did or not. I didn't tell him, you bet.

Mr. Havner: May I ask this department—I mean representative, did you mean the mortgage?

Representative Hickenlooper: Yes.

Mr. Havner: The mortgage that was signed personally by Mr. Clark and Mrs. Shaible?

Representative Hickenlooper: That is the one I was referring to.

Mr. Clark: The mortgage itself was not. I didn't know you referred to the mortgage. I thought it was my debts.

Representative Hickenlooper: My question was, that information you just stated now, I wonder if that had been conveyed to any interested party in this affair so that the information or knowledge was had prior to this, to the statement just now.

Mr. Clark: Oh, yes, that must have been known, I don't know—I paid little attention to that. I was busy. I don't know what they knew, anything about it. I made no endeavor to communicate knowledge to anyone except the United States district attorney, and the mortgage transaction was thoroughly gone over, and completely, by the representatives of both the postoffice department and the internal revenue department.

Representative Hickenlooper: My point is this, what I was trying to make. Certain statements were made a while ago about a mortgage. You now make the statements that this obligation was paid off.

Mr. Clark: You misunderstood me. I was talking about other obligations they were claiming that were paid off by the Independent Order of Foresters for me.

On this very mortgage, I can explain that mortgage very nicely to you. In common with many other people I bought some farms at one time, and I bought them jointly with two other people. One blew his brains out; the other one died; and they left me with the thing on my hands. I struggled along and managed to keep up the interest, and the mortgage became due. The lady who was the widow of one of the parties who had signed the mortgage refused to do anything further. I had it for sale. I offered it for sale. It was a bona fide sale. It was sold, and we received a property down here in Indianola as part payment of that mortgage. And I went to the officials of the Modern Brotherhood of America and said to them, "I think we can put this deal over provided it can be refinanced. Will you refinance it?" They said, "What is the condition of the property?" I said, "The condition of the property is much better than when we put the mortgage on it. We have built a new barn, we have remodeled the house, we have built new corncribs, new granaries, a new chicken house. We have put in very modern equipment all around." And I said, "There is some four or five thousand dollars better off than you were before." They said, "All right, we will do it." That is all

there was to it. They refinanced it, and I was out from under. I was mighty glad when I was. I don't know anything about the farm.

Representative Hickenlooper: This was refinanced by the Modern Brotherhood of America?

Mr. Clark: Yes, refinanced by the Modern Brotherhood of America, and they stood in exactly the same situation that they were before.

Senator Donohue: Mr. Clark, was it the same amount of the mortgage?

Mr. Clark: Yes, the same amount.

Senator Donohue: And they held the former mortgage?

Mr. Clark: They held the former mortgage.

Representative Sours: And the same property exactly?

Mr. Clark: The same property, only that the property was in much better condition.

Representative Sours: I mean the same description of the property.

Mr. Clark: Now one thing—I don't think there is anything more I need to add, men. There is just one thing I want to have clearly understood—that never in any way did I approve or have any knowledge of, nor would I approve any of the acts that have been set out here relative to the side agreements of any kind. I don't believe in them at all. I admit that those men have been my friends. Most of you have had friends that they have had trouble with.

Senator Donohue: Mr. Clark, prior to the time that the members of your department went to Canada and found out this information, had there ever been any information with reference to this three hundred thousand (300,000) dollars?

Mr. Clark: No. Nobody had any knowledge of it. If there was anybody knew it I did not have any knowledge of it. I don't think anybody knew it. We found it out. The information he has brought up, most of it, if not all, is from the insurance department records that we dug up.

I want to tell you one more thing about the examination. When this trouble came up over this matter it was not thirty days after this merger until we commenced to have trouble with the Foresters relative to the handling of this stuff. We refused absolutely to let those funds go out. We didn't like this rewriting campaign and we fought it and did everything we could to prevent it. I gathered together in New York City the insurance committee, of which I was a member, of the National Convention of Insurance Examiners. That national convention should be called the national association, because it consisted of the commissioners of all the states. I told them that I wanted an examination of the Foresters; that I must have it; that if I could not get action by the national convention to call a convention examination I would send my own examiners into Canada and examine that company, that I wanted to know the ins and outs of everything that had been done, I wanted to know more about this three hundred thousand (300,000) dollars, I wanted to know more about some other side contracts that he refers to which had shown up, I wanted complete information from their files and I could not get it unless we had an examination. And I could hardly get one. We finally got an examination, and I sent our examiner along with the rest of them. Practically all of this was dug up in that examination.

And relative to the matter of these checks, when it was discovered there my examiner wanted to know if we should go down there, if they should go down and get photostatic copies of these checks, and we told him "Yes, by all means, to bring home anything that there was or that was obtainable, that we might have the necessary information."

Representative Sours: These photostatic copies of the checks—

Mr. Clark: They never could have been gotten without my approval.

Representative Sours: These were furnished by you to Mr. Havner, is that right?

Mr. Clark: What?

Representative Sours: These photostatic copies that Mr. Havner has come from your office, is that right?

Mr. Clark: No, they did not come to our office. Here is the story of that. During the taking of the depositions that Mr. Havner refers to, he brought out relative to this three hundred thousand (300,000) dollars, and he said, "How can we get photostatic copies?", or words to that effect. I said, "You send down and get those things and I will pay half the expense of them. I want to get them." That is the last I heard of that until I have seen them around this way, as though I had issued them, in this hearing.

The fact of the matter is he wrote for them. They would not give them to him until they communicated with me. They communicated with me and asked me if they should give them to him. I said, "Yes, go ahead and give them to him. I want them out here. I want to know what they are myself. I want all the information I can get." He never would have gotten them.

Now, is there anything else, gentlemen? You have been here a long time, if you are as tired of the M. B. A. and the I. O. F. as I am.

Chairman Knudson: Any questions by the committee to Mr. Clark? What is the pleasure of the committee?

Whereupon, at 3:50 o'clock p. m., upon motion duly put and carried, the committees arose.

REPORTS OF COMMITTEES

Senator McArthur submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred Senate File 143, a bill for an act for the protection of the seed potato supply of the state of Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

WM. MCARTHUR, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture to which was referred Senate File 262, a bill for an act to amend section four (4) and section thirty-one (31) of chapter fifty-six (56) of the laws of the Forty-fifth General Assembly, Extraordinary Session, relating to the posting of prices of motor vehicle fuel offered for sale, begs leave to report it has

had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Senate File 262 by inserting after the period in line 18 of section one (1) the following:

"Nothing in this section shall be so construed as to prohibit cooperative companies and associations from paying patronage dividends."

WM. MCARTHUR, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture to which was referred Senate File 270, a bill for an act to amend section two (2) and thirty-one (31) of chapter fifty-six (56), acts of the Forty-fifth General Assembly, Extraordinary Session, relating to grades and classification of motor vehicle fuel and fuel oil, relating to the posting of prices of motor vehicle fuel and fuel oil offered for sale and fixing minimum requirements for such prices, begs leave to report it has had the same under consideration and recommends the same do pass. WM. MCARTHUR, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 302 as follows:

Amend section two (2) of Senate File 302 by inserting after the word "sold" in line 15 thereof the following: ", leased or rented," and by inserting in line 16 after the word "sold" the following: ", leased or rented,".

Amend section five (5) by inserting after the word "state" and before the semicolon in line 7 the following: "out of which the motor vehicle is operated."

Amend section twelve (12) of Senate File 302 by striking the comma appearing after the word "carriers" in line 5 thereof, and by inserting after the word "common" in line 6 thereof the word "motor."

Amend section nineteen (19) of Senate File 302 by striking out all of lines 5 to 8, both inclusive, thereof, and by inserting in lieu thereof the following: "(a) such vehicle is transporting livestock or other farm and dairy products exclusively, from the farm, dairy or concentration point to warehouse, creamery, processing plant, common carrier or other original storage or market, or is returning empty, or with empty containers, only, after having completed said transportation; or."

Amend Senate File 302 by striking out all of section twenty-four (24) thereof, and by inserting in lieu thereof the following:

"Sec. 24. Exemption. Common, contract and private motor carriers while operating motor vehicles transporting livestock, or other farm and dairy products exclusively, from the farm, dairy or concentration point to warehouse, creamery, processing plant, common carrier or other original storage or market, are hereby specifically exempted from the provisions of sections twenty-one (21) to twenty-three (23), both inclusive.

Amend section fifty-three (53) by inserting after the word "act" and before the comma in line 9 the following: "within the state of Iowa."

Amend section fifty-five (55) by inserting after the word "under" in line 3 the following: "sections fifteen (15) to eighteen (18) both inclusive of."
JOHN K. VALENTINE.

Senator Roelofs moved that the Senate adjourn until 10:00 a. m. Saturday, which motion was lost.

On motion of Senator Hopkins, the call of the Senate was lifted.

Senator Beardsley moved that the Senate adjourn until 10:00 a. m. Monday.

As a substitute motion, Senator Malone moved that the Senate adjourn until 9:00 a. m. Monday.

As a substitute for all pending motions, Senator Harrington moved that the Senate adjourn until 9:55 a. m. Monday.

The motion to substitute prevailed, and the substitution was made. The substitute motion prevailed and the Senate adjourned until 9:55 a. m. Monday, April 1st.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 1, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. M. A. Gable, pastor of the Methodist Episcopal church at Indianola.

The Journal of March 29, 1935, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Kimberly for the day, on request of Senator Wilson.

PETITIONS AND MEMORIALS

The following petitions favoring the tax on the so-called "chain stores" were received and filed, to be referred to the committee on cities and towns:

Senator Anderson, from residents of Webster county; Senator Schmidt, from residents of Johnson and Iowa counties; Senator Byers, from residents of Linn county; Senator Dewey, from residents of Henry county; Senator Irwin, from residents of Clinton county; Senator Meyer, from residents of Bremer county; Senator Grunewald, from residents of Tama county.

The following petitions favoring Senate File 222 were received and filed, to be referred to the committee on manufacturing, commerce and trade:

Senator Schmidt, from residents of Johnson and Iowa counties; Senator Byers, from residents of Linn county.

The following petitions opposing the ton-mile tax on trucks were received and filed, to be referred to the committee on motor vehicles:

Senator Elthon, from residents of Winnebago county; Senator Anderson, from residents of Calhoun county.

The following petitions were received and filed, to be referred to the designated committees:

Senator Hopkins, from residents of Audubon county, opposing Senate File 156. Committee on state planning.

Senator Anderson, from residents of Calhoun and Webster counties, opposing tax on natural gas. Committee on ways and means.

Senator Baldwin, from residents of Dubuque county, opposing Senate File 283. Committee on board of control and public welfare.

Senator Stevens of Wapello, from residents of Wapello county, favoring the barber bill. Committee on state planning.

INTRODUCTION OF BILLS

Senate File 337, by committee on agriculture, a bill for an act to make an appropriation to the Iowa state dairy association and to require said association to hold a state-wide 4-H dairy calf club exposition.

The bill was read first and second times and referred to the committee on appropriations.

SENATE CONCURRENT RESOLUTION 18

Be It Resolved by the Senate, the House concurring: That the Forty-sixth General Assembly adjourn, sine die, at 5:00 o'clock P. M., Tuesday, April 23, 1935.

LEO ELTHON.

FRANK C. BYERS.

E. I. MASON.

E. P. DONOHUE.

H. J. GRUNEWALD.

CLAUDE STANLEY.

GEO. A. WILSON.

CAROLYN C. PENDRAY.

MIKE G. FISCH.

JOHN N. CALHOUN.

H. D. MILLER.

WM. MCARTHUR.

J. BERG.

SAM D. GOETSCH.

WM. S. BEARDSLEY.

G. W. PATTERSON.

L. H. MEYER.

M. X. GESKE.

GEO. M. HOPKINS.

ORA E. HUSTED.

PAUL SCHMIDT.

FRANK M. STEVENS.

L. T. SHANGLE.

CLAIRE DEWEY.

M. MOORE.

H. L. IRWIN.

GEO. L. PARKER.

JOHN W. BILLINGSLEY.

CHRIS REESE.

ROY E. STEVENS.

T. W. MULLANEY.

ANDREW BELL.

C. E. MALONE.

VINCENT F. HARRINGTON.

HOMER HUSH.

E. P. CORWIN.

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had signed Senate File 15 on March 29, 1935.

AUTHORIZATION OF SIFTING COMMITTEE

President N. G. Kraschel, under Rule 40, propounded the question, Shall a sifting committee be appointed?

The Senate expressed an affirmative vote.

SENATE FILE 220 WITHDRAWN

By unanimous consent granted Senator Mason, it was ordered that Senate File 220 be withdrawn from further consideration by the Senate.

RULE 41 ORDERED ENFORCED

Senator Elthon called the attention of the Senate to Rule 41 and asked that it be invoked for the remainder of the session.

Senator Wilson moved that Rule 41 be suspended during the remainder of the legislative session.

Roll call was requested.

The question was, Shall Rule 41 be suspended?

On the question, Shall Rule 41 be suspended? the vote was:

Ayes, 25:

Aschenbrenner	Calhoun	Irwin	Nelson
Baldwin	Corwin	Malone	Parker
Bell of Crawford	Donohue	Miller	Patterson
Bell of	Goetsch	Millhone	Shangle
Des Moines	Grunewald	Moore	Shaw
Billingsley	Hopkins	Mullaney	Wilson
Byers	Husted		

Nays, 20:

Beardsley	Geske	Meyer	Stanley
Berg	Harrington	Pendray	Stevens of
Dewey	Hush	Reese	Decatur
Doze	Knudson	Roelofs	Stevens of
Elthon	Mason	Schmidt	Wapello
Fisch	McArthur		

Absent or not voting, 5:

Anderson	Driscoll	Kimberly	Valentine
Chrystal			

The motion having failed to receive a two-thirds majority, was lost.

The President of the Senate instructed the sergeant-at-arms, doorkeepers and pages that they were henceforth to refuse admittance to anyone excluded under Rule 41.

Senator Wilson moved that the state printer be instructed to furnish the Senators with cards suitable for the purpose of admitting those persons each Senator might wish admitted.

As a substitute motion, Senator Harrington moved that each Senator furnish the chief doorkeeper of the Senate with a list of the names of those persons whom he might wish admitted to the Senate floor.

Senator Wilson raised the point of order that the substitute motion was not in order in that it was not germane to the original motion. The chair ruled the point was well taken.

The Wilson motion prevailed.

BILLS INDEFINITELY POSTPONED

Senate File 266, a bill for an act to amend section forty-seven hundred fifty-five-b four (4755-b4), Code, 1931, as amended by chapter forty-eight (48), acts of the Forty-fifth General Assembly, Extraordinary Session, relating to the use and transfer of funds from the primary road fund and providing for the allocation of the same to the secondary road construction fund and to cities and towns upon the ratio as the total mileage in the secondary road system bears to the total mileage computed by adding the mileage in streets and roads in cities and towns to the total mileage or roads in the secondary road system and the balance remaining in said fund so transferred from the primary road fund shall be allocated to cities and towns upon the basis that the mileage in streets and roads in cities and towns shall bear to the total mileage therein added to the mileage in the secondary road system, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee adopted.

Senate File 161, a bill for an act to regulate the exhibitions of motion pictures in theatres, places of amusement, and public buildings, and to provide for the protection and safety of patrons and employees, and to prescribe methods for fire prevention in connection with the use of motion picture machines and prescrib-

ing a penalty for the violation thereof, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee adopted.

Senate File 6, a bill for an act to amend sections thirty-two hundred ninety-d one (3290-d1) and thirty-nine hundred forty-four-d one (3944-d1), Code, 1931, relating to expenditures for fire protection at certain state institutions, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee adopted.

SENATE JOINT RESOLUTION 8 CONSIDERED

Senator Stanley asked unanimous consent that Senate Joint Resolution 8 be taken up for consideration. Objections were raised and the request denied.

Senator Millhone moved that Senate Joint Resolution 8 be taken up for consideration.

Roll call was requested.

The question was, Shall Senate Joint Resolution 8 be considered?

On the question, Shall Senate Joint Resolution 8 be considered? the vote was:

Ayes, 36:

Aschenbrenner	Doze	Malone	Pendray
Beardsley	Fisch	Mason	Reese
Bell of Crawford	Geske	McArthur	Roeolofs
Bell of	Goetsch	Meyer	Schmidt
Des Moines	Grunewald	Miller	Shaw
Berg	Harrington	Millhone	Stanley
Billingsley	Hopkins	Mullaney	Stevens of
Calhoun	Hush	Parker	Wapello
Corwin	Husted	Patterson	Valentine
Dewey	Knudson		

Nays, 4:

Baldwin	Byers	Shangle	Stevens of Decatur
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Absent or not voting, 10:

Anderson	Driscoll	Kimberly	Nelson
Chrystal	Elthon	Moore	Wilson
Donohue	Irwin		

The motion prevailed and the Senate proceeded to the consideration of Senate Joint Resolution 8.

Senate Joint Resolution 8, Joint Resolution proposing an amendment to the constitution of the state of Iowa granting the right to the General Assembly to authorize the return of a verdict in a civil case upon the concurrence of nine (9) of the members of the jury.

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

Section 1. That section nine (9) of article I of the constitution of the state of Iowa is hereby amended by adding thereto the following: "The General Assembly may authorize the return of verdicts in civil cases upon the concurrence of not less than nine (9) members of the jury."

Sec. 2. That the foregoing proposed amendment be and the same is hereby referred to the legislature to be chosen at the next general election for members of the next General Assembly, and that the secretary of state cause the same to be published for three (3) months prior to said election, as provided by law.

The joint resolution was taken up, considered and read for information.

Senator Hopkins moved the previous question, which motion prevailed.

Senator Stanley moved that the reading just had be considered the third reading and the joint resolution be placed on its passage, which motion prevailed.

The question was, Shall the joint resolution pass?

On the question, Shall the joint resolution pass? the vote was:

Ayes, 37:

Aschenbrenner	Fisch	McArthur	Pendray
Beardsley	Geske	Meyer	Reese
Bell of Crawford	Goetsch	Miller	Roelofs
Berg	Grunewald	Millhone	Schmidt
Calhoun	Hopkins	Moore	Shaw
Corwin	Hush	Mullaney	Stanley
Dewey	Husted	Nelson	Stevens of
Donohue	Knudson	Parker	Wapello
Doze	Malone	Patterson	Valentine
Elthon	Mason		

Nays, 8:

Baldwin	Byers	Shangle	Wilson
Bell of	Harrington	Stevens of	
Des Moines	Irwin	Decatur	

Absent or not voting, 5:

Anderson	Chrystal	Driscoll	Kimberly
Billingsley			

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

THIRD READING OF BILLS

The proper time having arrived, Senate File 26, a bill for an act to amend section five thousand twenty-nine (5029), Code, 1931, relating to speed standard of motor vehicles operated upon the highways, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Shaw offered the following amendment and moved its adoption:

As a substitute for all pending amendments to Senate File 26, to strike out all after the enacting clause and substitute in lieu thereof the following:

"That section five thousand twenty-nine (5029), Code, 1931, is hereby amended by striking the period at the end of line 10 thereof and substituting in lieu thereof a comma and adding thereto the following:

"Such driver having the right to assume, however, that all persons using said highway, will observe the law.'"

Senator Donohue moved the previous question, which motion prevailed.

The motion to substitute prevailed, the substitution was made, and the substitute motion prevailed.

Senator Wilson was granted unanimous consent to correct the amendment by striking the quotation marks at the opening of line 4 and inserting in lieu thereof the following: "Section 1."

Senator Shaw moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 41:

Baldwin	Chrystal	Geske	Knudson
Beardsley	Corwin	Goetsch	Malone
Bell of Crawford	Dewey	Grunewald	Mason
Berg	Donohue	Hopkins	McArthur
Billingsley	Doze	Hush	Meyer
Byers	Elthon	Husted	Miller
Calhoun	Fisch	Irwin	Millhone

Moore
Mullaney
Nelson
Patterson

Pendray
Reese
Schmidt
Shaw

Stanley
Stevens of
Decatur

Stevens of
Wapello
Valentine
Wilson

Nays, 2:

Aschenbrenner Shangle

Absent or not voting, 7:

Anderson
Bell of

Driscoll
Harrington

Kimberly
Parker

Roelofs

Des Moines

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

Senator Millhone moved that the vote by which Senate File 26 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE 179 WITHDRAWN

By unanimous consent granted Senator Shaw, it was ordered that Senate File 179 be withdrawn from further consideration by the Senate.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

Senate Concurrent Resolution 17, memorializing various bodies to put forth every effort relative to the reorganization of the M. and St. L. Ry. under its present management.

VIRGIL LEKIN, *Chief Clerk.*

CONSIDERATION OF HOUSE FILE 63 RESUMED

House File 63, a bill for an act to amend section six hundred seventy-six (676), Code, 1931, relating to registration of voters, was again taken up and considered.

The bill was read for information.

Senator Berg offered the following amendment and moved its adoption:

Amend House File 63 by adding thereto the following:

"Sec. 2. Section six hundred seventy-six (676), Code, 1931, is further amended by adding thereto after the word 'institution' the following: 'provided that any city having a population of less than ten thousand

(10,000) may install and maintain any system of registration authorized by law.'”

Senator Berg asked unanimous consent that the amendment be withdrawn. Objections were raised and the request denied.

Senator Irwin raised the point of order that any member of the Senate is privileged to withdraw an amendment before action has been taken thereon.

Senator Calhoun raised the point of order that the amendment had been under discussion and therefore was before the Senate. The chair ruled the point of order raised by Senator Irwin was not well taken and sustained the point raised by Senator Calhoun.

ACTION ON HOUSE FILE 63 DEFERRED

Senator Berg moved that the rules be suspended, action on House File 63 be deferred and the bill ordered to remain on the calendar as unfinished business.

The motion prevailed and action was deferred.

Senator Calhoun moved that the Senate recess until 1:30 p. m.

By unanimous consent, Senator Calhoun withdrew his motion to adjourn.

CONSIDERATION OF HOUSE FILE 1 RESUMED

House File 1, a bill for an act to repeal section twelve thousand three hundred seventy-seven (12377), Code, 1931, relating to general execution for balance, was again taken up and considered.

There being a call of the Senate on file, roll call revealed Senator Kimberly absent.

On motion of Senator Beardsley, Senator Kimberly was excused from the call of the Senate on House File 1.

Senator Wilson moved that the Senate recess until 1:30 p. m.

By unanimous consent, Senator Wilson withdrew his motion.

Senator Wilson moved that the Senate adjourn until 9:30 a. m., Tuesday.

As a substitute motion, Senator Malone moved that the Senate recess until 1:00 p. m.

Senator Wilson raised the point of order that a motion to adjourn was before the Senate, and therefore, a motion to recess was out of order. The chair ruled that the point was well taken.

Senator Shangle moved to amend the Wilson motion for adjournment by substituting "10:00 a. m." in place of "9:30 a. m." The amendment was accepted.

Roll call was requested.

The question was, Shall the Senate adjourn?

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

Ayes, 21:

Anderson	Byers	Knudson	Parker
Aschenbrenner	Corwin	Meyer	Patterson
Baldwin	Donohue	Millhone	Roelofs
Bell of Crawford	Geske	Moore	Schmidt
Bell of Des Moines	Harrington	Nelson	Wilson
	Irwin		

Nays, 26:

Beardsley	Elthon	Malone	Shaw
Berg	Fisch	Mason	Stanley
Billingsley	Goetsch	McArthur	Stevens of
Calhoun	Grunewald	Miller	Deatur
Chrystal	Hopkins	Mullaney	Stevens of
Dewey	Hush	Reese	Wapello
Doze	Husted	Shangle	Valentine

Absent or not voting, 3:

Driscoll	Kimberly	Pendray
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The motion to adjourn was lost.

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

AFTERNOON SESSION

Having recessed until 1:30 p. m., the Senate reconvened, President N. G. Kraschel presiding.

Senator Wilson was granted unanimous consent that the enforcement of Rule 41 be suspended for the remainder of the day, inasmuch as the necessary cards had not been printed as yet.

SENATE FILE 186 PLACED ON CALENDAR

By unanimous consent granted Senator Hush, it was ordered that Rule 35 be invoked and Senate File 186 be placed on the calendar.

CONSIDERATION OF HOUSE FILE 1 CONTINUED

Roll call revealed all Senators present excepting Senator Kimberly, who had been excused previously, and Senators Baldwin and Chrystal.

Senator Shangle moved the previous question on House File 1 and all pending amendments, which motion prevailed.

Senator Shaw asked unanimous consent that the rules be suspended and he be permitted to offer an amendment to House File 1. Objections were raised and the request denied.

Senator Chrystal appeared in the Senate Chamber.

Senator Malone moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 25:

Anderson	Driscoll	Mason	Pendray
Aschenbrenner	Elthon	McArthur	Reese
Beardsley	Goetsch	Meyer	Schmidt
Bell of Crawford	Harrington	Miller	Shangle
Billingsley	Hush	Mullaney	Stevens of
Chrystal	Knudson	Parker	Decatur
Dewey	Malone		

Nays, 23:

Bell of	Doze	Irwin	Shaw
Des Moines	Fisch	Millhone	Stanley
Berg	Geske	Moore	Stevens of
Byers	Grunewald	Nelson	Wapello
Calhoun	Hopkins	Patterson	Valentine
Corwin	Husted	Roelofs	Wilson
Donohue			

Absent or not voting, 2:

Baldwin Kimberly

Rule 8 was invoked.

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

Senator Husted raised the point of order that the roll call had not been completed and therefore a motion to adjourn was out of order.

Senator Irwin raised the point that the entire vote was out of order in that no vote should have been taken until the call of the Senate was declared to be complete.

The chair ruled that the point was well taken.

The question was, Shall the Senate adjourn?

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

Ayes, 22:

Anderson	Billingsley	Harrington	Nelson
Aschenbrenner	Chrystal	Hush	Parker
Beardsley	Dewey	Knudson	Schmidt
Bell of Crawford	Driscoll	Malone	Shangle
Bell of Des Moines	Fisch	McArthur	Stevens of Decatur
	Goetsch	Meyer	

Nays, 23:

Berg	Grunewald	Millhone	Shaw
Byers	Hopkins	Moore	Stanley
Corwin	Husted	Mullaney	Stevens of Wapello
Donohue	Irwin	Patterson	Valentine
Doze	Mason	Pendray	Wilson
Geske	Miller	Reese	

Absent or not voting, 5:

Baldwin	Elthon	Kimberly	Roelofs
Calhoun			

The motion to adjourn was lost.

Senator Mullaney moved that the Senate adjourn until 9:50 a. m.

Senator Valentine raised the point of order that no intervening business had been transacted.

Senator Baldwin appeared in the Senate, and the call of the Senate was declared to be complete.

The question was, Shall the bill pass?

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

Ayes, 25:

Anderson	Driscoll	Malone	Pendray
Aschenbrenner	Elthon	Mason	Reese
Beardsley	Goetsch	McArthur	Schmidt
Bell of Crawford	Harrington	Meyer	Shangle
Billingsley	Hopkins	Miller	Stevens of Decatur
Chrystal	Hush	Mullaney	
Dewey	Knudson		

Nays, 24:

Baldwin	Berg	Corwin	Fisch
Bell of Des Moines	Byers	Donohue	Geske
	Calhoun	Doze	Grunewald

Husted	Nelson	Shaw	Valentine
Irwin	Parker	Stanley	Wilson
Millhone	Patterson	Stevens of	
Moore	Roelofs	Wapello	

Absent or not voting, 1:
Kimberly

The bill not having received a constitutional majority was declared to have failed to pass the Senate.

Senator Patterson moved that the vote by which House File 1 failed to pass the Senate be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

The following concurrent resolution was filed:

SENATE CONCURRENT RESOLUTION 19

Be It Resolved by the Senate of the State of Iowa, the House concurring: That we memorialize Congress to enact such legislation as may be deemed necessary to eradicate the spread of communism and other subversive activities in this country.

Be It Further Resolved: That copies of this resolution be sent to President Franklin D. Roosevelt and to the Iowa members of Congress.

PAUL SCHMIDT.

REPORTS OF COMMITTEES

Senator Irwin submitted the following report:

MR. PRESIDENT: Your committee on banks and banking to which was referred Senate File 17, a bill for an act to amend section seven thousand four hundred twenty-d six (7420-d6), Code, 1931, relating to the deposit of public funds and the payment of interest thereon, begs leave to report it has had the same under consideration and returns the bill without recommendation.

H. L. IRWIN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on banks and banking to which was referred Senate File 87, a bill for an act to amend section twelve thousand seven hundred seventy-two (12772), Code, 1931, relating to investment of trust funds, begs leave to report it has had the same under consideration and recommends the same do pass.

H. L. IRWIN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on banks and banking to which was referred Senate File 193, a bill for an act relating to the establishment of a state bank of Iowa, owned, controlled and operated by the state of Iowa in the manner and to the extent as provided herein making appro-

priations therefor and providing penalties for violation thereof, begs leave to report it has had the same under consideration and returns the bill without recommendation.

H. L. IRWIN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on banks and banking to which was referred Senate File 204, a bill for an act to amend section eleven hundred seventy-one-d four (1171-d4), Code, 1931, relating to the authorization of public bonds and the vote required thereon, begs leave to report it has had the same under consideration and recommends the same do pass.

H. L. IRWIN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on banks and banking to which was referred Senate File 245, a bill for an act to repeal sections nine thousand two hundred eighty-four (9284) to and including section nine thousand three hundred five (9305), Code, 1931, relating to banks and trust companies as fiduciaries, begs leave to report it has had the same under consideration and returns the bill without recommendation.

H. L. IRWIN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on banks and banking to which was referred Senate File 271, a bill for an act to provide for and regulate the incorporation and operation of general welfare banks under state supervision; to provide for the flow of credit to small units of society at reasonable rates; to provide depositaries for public funds and for small depositors; and for other purposes, begs leave to report it has had the same under consideration and returns the bill without recommendation.

H. L. IRWIN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on banks and banking to which was referred House File 85, a bill for an act to repeal sections seven thousand four hundred twenty-b three (7420-b3) and seven thousand four hundred twenty-b six (7420-b6), Code, 1931, as amended by chapters one hundred thirty-eight (138) and one hundred thirty-nine (139), acts of the Forty-fifth General Assembly, and to enact a substitute therefor, relating to the issuance of anticipatory warrants in payment of claims filed against the state sinking fund for public deposits and providing for the issuance and sale of refunding warrants, and providing for the notice of sale of such warrants, receiving sealed and open bids therefor, rejection of said bids and penalty for violation thereof; and to repeal all acts or parts

of acts in conflict herewith, begs leave to report it has had the same under consideration and returns the bill without recommendation.

H. L. IRWIN, *Chairman*.

Ordered passed on file.

Senator Geske submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File 181, a bill for an act to limit the time within which actions may be brought on notes or contracts due prior to January 2, 1931, the consideration or security for which was real estate which has been exhausted either by such obligations or by prior incumbrances, begs leave to report it has had the same under consideration and returns the bill without recommendation.

M. X. GESKE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File 212, a bill for an act relating to the marginal release and assignments of real estate mortgages, begs leave to report it has had the same under consideration and recommends the same do pass.

M. X. GESKE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File 224, a bill for an act to raise and provide revenue for credit to the fund of the state of Iowa known as old age pension fund; to form and create a state commission for horse racing; to provide for the appointment, qualifications, terms of office and compensation of the members of such commission and its employees; to define and prescribe the powers and duties of the commission for horse racing; to provide for the issuing of licenses by the commission for the holding and conducting of races and race meetings, to fix the qualifications of licensees and fees to be charged for such licensees; to prescribe and define license fees and revenues to be paid the state; to permit the licensees to retain a commission on all sums wagered; to legalize wagering upon the result of all horse races and horse race meetings held under and pursuant to such licenses under the pari-mutuel or certificate method and form of wagering and not otherwise; to provide and define the qualification of all employees participating in horse races or horse race meetings held and conducted under such licensees and authorizing permits for such persons and fixing the fees thereof; to provide for inspection of records of licensees and payment of such inspection; to repeal and render inapplicable all laws in conflict with the provisions of this act and prescribing penalties for violation thereof, and creating an emergency, begs leave to report it has had the same under consideration and returns the bill without recommendation.

M. X. GESKE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File 226, a bill for an act to create the state athletic commission; to prescribe its duties and powers; to regulate athletic contests; to provide for the licensing of places where certain athletic contests are held where an admission is charged; to provide for the licensing of boxers, wrestlers, trainers, and all other attaches of such contests; and to provide penalties for violation thereof, begs leave to report it has had the same under consideration and returns the bill without recommendation.

M. X. GESKE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File 257, a bill for an act to regulate and control the operation of amusement slot machines or devices excepting weighing machines or electric phonographs, or electric pianos containing a slot in which coins may be placed; providing for the licensing thereof by the Treasurer of the State of Iowa and the granting to the Treasurer of the State of Iowa, certain powers herein; providing for the allocation of the funds to be derived therefrom and fixing the amount which shall be used for expenses and which shall accrue to the state sinking fund for public deposits and to the general funds of cities and towns, including special charter cities and all counties; providing for the making of certain acts illegal and providing penalties therefor; prohibiting minors from participating or using any of such machines or devices and permitting the Treasurer of State to levy license fees upon applications; providing for the prohibiting of such machines within five hundred (500) feet of public schools; giving to the district court of Polk county, Iowa, jurisdiction in all actions arising under this act, or on the bond; and repealing all other acts or parts of act in conflict therewith, begs leave to report it has had the same under consideration and returns the bill without recommendation.

M. X. GESKE, *Chairman.*

Ordered passed on file.

Senator Pendray submitted the following report:

MR. PRESIDENT: Your committee on public schools to which was referred Senate File 132, a bill for an act to amend chapter seven (7) and to repeal chapter eight (8), acts of the Forty-fifth General Assembly, relating to the auditing of financial records of counties, schools, townships, cities, including cities under special charter, and other municipalities, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Insert immediately after the word "taxpayers" in line 9 of section two (2) the following: "in such corporation, then on application of ten (10) per cent of the taxpayers."

Insert the words "and town" immediately after the word "city" in line 5 of section one (1).

Strike out the comma following the word "rural" in line 7 of section one (1), and insert in lieu thereof the word "and."

Strike from line 7 of section one (1) the following "and town."

Strike out the comma following the word "rural" in line 11 of section one (1) and insert in lieu thereof the word "and."

Strike from line 11 of section one (1) the following "and town."

CAROLYN C. PENDRAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public schools to which was referred Senate File 228, a bill for an act authorizing the creation, at the option of its voters, of a county unit school corporation in each county in the state; providing for the admission therein of other independent school districts; creating a county board of education therefor, and providing for the etc, etc, etc, begs leave to report it has had the same under consideration and returns the bill without recommendation.

CAROLYN C. PENDRAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public schools to which was referred Senate File 274, a bill for an act to repeal the law as it appears in sections forty hundred ninety-six (4096), etc., begs leave to report it has had the same under consideration and recommends that same be indefinitely postponed.

CAROLYN C. PENDRAY, *Chairman.*

Ordered passed on file.

Senator Valentine submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File 194, a bill for an act to amend section four thousand eight hundred and seventy-seven (4877), Code, 1931, pertaining to the display and attaching of license plates to motor vehicles, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill be returned without recommendation.

Amend Senate File 194 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. That section forty-eight hundred seventy-four (4874) of the Code of Iowa, 1931, be and the same is hereby amended by adding after the period following the word 'vehicle' in line 9 of said section the following:

"He shall also deliver or forward with the number plates the locking devices required by this chapter for use in attaching such plates to the motor vehicle."

"Sec. 2. That section forty-eight hundred seventy-seven (4877) of the

Code of Iowa, 1931, be and the same is hereby amended by inserting after the period at the end of said section the following:

“Beginning with the licensing of motor vehicles for the year 1936 and thereafter, each plate shall be affixed to the vehicle by a separate locking device at each of two of its attaching points, so that the plate cannot be removed except by the destruction of such locking devices, a mutilation of the plate, or a removal of that part of the vehicle to which the plate is attached; such locking devices to be purchased by the executive council and delivered with the plates at actual cost to the state.”

Also amend the title by striking all of said title and substituting in lieu thereof the following: “An act to amend sections forty-eight hundred seventy-four (4874) and forty-eight hundred seventy-seven (4877) of the Code of Iowa, 1931, relating to the licensing of motor vehicles, and providing the method for the fastening of license plates to such vehicle.”

JOHN K. VALENTINE, *Chairman.*

Ordered passed on file.

Senator Mullaney submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File 110, a bill for an act to amend chapter seventy-three (73), acts of the Forty-fifth General Assembly, relating to poll taxes, begs leave to report it has had the same under consideration and recommends the same do pass. T. W. MULLANEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File 148, a bill for an act to amend section thirty-nine (39), laws of the Forty-fifth General Assembly, in Extraordinary Session, relating to exemption of political subdivisions of the state from payment of sales tax, begs leave to report it has had the same under consideration and returns the bill without recommendation.

T. W. MULLANEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File 154, a bill for an act to amend section five hundred twenty-three-b one (523-b1), Code, 1931, relating to the election of township trustees, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

T. W. MULLANEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File 164, a bill for an act to empower the county board of supervisors to establish, maintain, improve and beautify

public parks within the county, begs leave to report it has had the same under consideration and returns the bill without recommendation.

T. W. MULLANEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File 187, a bill for an act to empower the county board of supervisors to establish, maintain, improve and beautify public parks within the county, begs leave to report it has had the same under consideration and returns the bill without recommendation.

T. W. MULLANEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File 199, a bill for an act extending the time in which to pay, without penalty, the first installment of all taxes payable in 1935, and to provide for interest on said installment in case payment is not made within the time specified, begs leave to report it has had the same under consideration and recommends the same do pass.

T. W. MULLANEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File 229, a bill for an act to amend section twelve thousand three hundred and eighty-five (12385), Code of 1931, relating to release by the mortgagee after satisfaction of chattel mortgages and the penalty for the failure to release such mortgages, begs leave to report it has had the same under consideration and returns the bill without recommendation.

T. W. MULLANEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File 233, a bill for an act to amend section forty-six hundred fifty-nine (4659), chapter two hundred forty (240), Code, 1931, relating to gravel beds owned by counties for highway purposes, so as to permit the purchase of gravel by private parties to surface farm lanes and driveways connecting farm yards and buildings with surfaced public roads, begs leave to report it has had the same under consideration and recommends the same do pass.

T. W. MULLANEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to

which was referred Senate File 286, a bill for an act to repeal sections four thousand six hundred forty-four-c fifty-eight (4644-c58) to and including section four thousand six hundred forty-four-c sixty-four (4644-c64), Code, 1931, relating to road poll tax, begs leave to report it has had the same under consideration and returns the bill without recommendation.

T. W. MULLANEY, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend the House amendment to Senate File 20 by adding to amendment four (4) the following:

"Every holder of a license to practice any of the healing arts shall be permitted to practice in every institution supported in whole or in part by taxation and to enter into contracts with tax-spending bodies for furnishing professional services for the care of the indigent poor.

JOHN N. CALHOUN.

Amend House File 63 by adding thereto the following:

"Sec. 2. Amend section six hundred seventy-six (676), Code, 1931, by adding thereto the following: 'Provided, however, that by city ordinance, registration of voters may be required in any city having a population of not less than six thousand and not more than ten thousand'."

JOHN N. CALHOUN.

Amend Senate File 172 as follows:

1. Insert in line 2, section one (1), after the word "store", the words "and chain farm."

2. Insert in line 20, section two (2), after the word "merchandising" the words "or farming."

3. Add to part six (6), section two (2), following the period in line 27, the following: "Farm means any tract of land devoted to agricultural or stock growing purposes."

4. Insert in line 29, section two (2), following the word "stores" the words "or chain farms."

5. Insert in line 32, section two (2), following the word "stores" the words "or farms."

6. Insert in line 33, section two (2), following the word "merchandise" the words "or farm products."

7. Insert in line 35, section two (2), following the word "stores" the words "or farms."

8. Insert in line 39, section two (2), following the word "stores" the words "or farms."

9. Insert in line 40, section two (2), following the word "store" the words "or farm."

10. Insert in line 48, section two (2), following the word "stores" the words "or farms."

11. Insert in line 8, section three (3), following the letter (b), the word "Resident."

12. Insert in line 10, section three (3), following the letter (c), the word "Resident."

13. Insert in line 3, section four (4), following the first word "stores", the words "or chain farms"; and following the second word "stores", the words "or farms."

14. Insert in line 5, section four (4), following the word "merchandise", the words "or farm products."

15. Insert in line 8, section four (4), following the word "each", the word "non-resident."

16. Insert in line 9, section four (4), following the word "stores", the words "or chain farms."

17. Insert in line 11, section four (4), following the word "store", the words "or farm."

18. Insert in line 13, section four (4), following the word "stores", the words "or farms."

19. Insert in line 16, section four (4), following the word "store", the words "or farm."

20. Insert in line 19, section four (4), following the word "stores", the words "or farms."

21. Insert in line 21, section four (4), following the word "store", the words "or farm."

22. Insert in line 24, section four (4), following the word "stores", the words "or farms."

23. Insert in line 26, section four (4), following the word "store", the words "or farm."

24. Insert in line 29, section four (4), following the word "stores", the words "or farms."

25. Insert in line 32, section four (4), following the word "store", the words "or farm."

26. Insert in line 34, section four (4), following the word "stores", the words "or farms."

27. Insert in line 37, section four (4), following the word "store", the words "or farm."

28. Insert in line 38, section four (4), following the word "stores", the words "or farms."

29. Insert in line 41, section four (4), following the word "stores", the words "or farms."

30. Insert in line 44, section four (4), following the word "stores", the words "or farms."

L. T. SHANGLE.

Senator Beardsley moved that the Senate adjourn until 9:55 a. m.

As a substitute motion, Senator Harrington moved that the Senate adjourn until 10:00 a. m.

The motion to substitute prevailed, and the substitution was made.

The substitute motion prevailed, and the Senate adjourned until 10:00 a. m., Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 2, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Richard Baldwin, pastor of the Reorganized Church of Jesus Christ at Des Moines.

The Journal of April 1, 1935 was approved.

PETITIONS AND MEMORIALS

The following petitions were received and filed, to be referred to the designated committees:

Senator Bell of Crawford, from residents of Crawford county, opposing the tax on the "chain stores" doing business in the state. Committee on cities and towns.

Senator Fisch, from residents of Plymouth county, opposing Senate File 195. Committee on banks and banking.

Senator Fisch, from residents of Plymouth county, opposing House File 289. Committee on insurance.

Senator Fisch, from residents of Plymouth county, opposing House File 363. Committee on insurance.

Senator Fisch, from residents of Ida county, opposing House File 324 and Senate File 217. Committee on ways and means.

Senator Fisch, from residents of Ida county, opposing county unit plan. Committee on county and township affairs.

Senator Chrystal, from residents of Sac county, opposing Senate File 283. Committee on board of control and public welfare.

SENATE FILES 269, 201 AND 182 PLACED ON CALENDAR

By unanimous consent granted Senator Shangle, it was ordered that Rule 35 be invoked and Senate File 269 be placed on the calendar.

By unanimous consent granted Senator Donohue, it was ordered that Rule 35 be invoked and Senate File 201 be placed on the calendar.

By unanimous consent granted Senator Meyer, it was ordered that Rule 35 be invoked and Senate File 182 be placed on the calendar.

CALL OF THE SENATE FILED

We, the undersigned, request a call of the Senate on Senate File 131 when it comes up for action.

L. H. MEYER.

T. W. MULLANEY.

E. I. MASON.

LEO ELTHON.

CAROLYN C. PENDRAY.

I. G. CHRYSTAL.

J. E. DOZE.

HOMER HUSH.

CHRIS REESE.

WILLIAM MCARTHUR.

T. F. DRISCOLL.

FRED W. NELSON.

SAM D. GOETSCH.

C. E. MALONE.

THIRD READING OF BILLS

The proper time having arrived, Senate File 331, a bill for an act to amend section ten thousand nine hundred forty-two (10942), Code, 1931, and to repeal section twelve thousand three hundred seventy-five (12375), Code, 1931, relating to suits on bonds or notes secured by real estate mortgages or deed of trust, was taken up and considered.

The bill was read for information.

Senator Harrington moved the previous question, which motion prevailed.

Senator Billingsley moved that the reading just had be considered the third reading and the bill placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 26:

Aschenbrenner	Doze	Knudson	Pendray
Beardsley	Driscoll	Malone	Reese
Bell of Crawford	Elthon	Mason	Shangle
Berg	Goetsch	McArthur	Shaw
Billingsley	Harrington	Meyer	Stevens of
Chrystal	Hopkins	Miller	Decatur
Dewey	Hush	Mullaney	

Nays, 23:

Anderson	Donohue	Kimberly	Schmidt
Baldwin	Fisch	Millhone	Stanley
Bell of	Geske	Moore	Stevens of
Des Moines	Grunewald	Nelson	Wapello
Byers	Husted	Parker	Valentine
Calhoun	Irwin	Patterson	Wilson
Corwin			

Absent or not voting, 1:

Roelofs

Rule 8 was invoked.

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

Senator Billingsley moved that the vote by which Senate File 331 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE 331 MESSAGED TO HOUSE

By unanimous consent granted Senator Billingsley, it was ordered that the rules be suspended and Senate File 331 be messaged to the House immediately.

THIRD READING OF BILLS

Senator Pendray asked unanimous consent that the rules be suspended and House File 4 be taken up for consideration. Objections were raised and the request denied.

On motion of Senator Pendray, the rules were suspended and House File 4 was called up for consideration.

House File 4, a bill for an act to amend chapter sixty-five (65), section one (1), acts of the Forty-fifth General Assembly, relating to the minimum salary of teachers.

Senator Pendray submitted the following report:

MR. PRESIDENT: Your committee on public schools to which was referred House File 4, a bill for an act to amend chapter sixty-five (65), section one (1), acts of the Forty-fifth General Assembly, relating to the minimum salary of teachers, begs leave to report it has had the same under consideration and recommends the same do pass.

CAROLYN C. PENDRAY, *Chairman.*

The report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Pendray moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 47:

Anderson	Donohue	Kimberly	Patterson
Aschenbrenner	Doze	Knudson	Pendray
Baldwin	Driscoll	Malone	Reese
Beardsley	Elthon	Mason	Roelofs
Bell of Crawford	Fisch	McArthur	Schmidt
Bell of	Geske	Meyer	Shaw
Des Moines	Goetsch	Miller	Stevens of
Berg	Grunewald	Millhone	Decatur
Byers	Harrington	Moore	Stevens of
Calhoun	Hopkins	Mullaney	Wapello
Chrystal	Hush	Nelson	Valentine
Corwin	Husted	Parker	Wilson
Dewey	Irwin		

Nays, 2:

Shangle Stanley

Absent or not voting, 1:

Billingsley

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

Senator Pendray moved that the vote by which House File 4 passed the Senate be reconsidered, and 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 174, a bill for an act regulating practice of osteopathy and of osteopathy and surgery.

VIRGIL LEKIN, *Chief Clerk.*

CONSIDERATION SENATE FILE 131 RESUMED

Senate File 131, a bill for an act to repeal chapter one hundred thirty-eight (138), title LX of the Code of 1931, relating to farm aid associations, and to enact a substitute therefor relating to educational work for improving and advancing agriculture, home economics, and junior extension work in rural communities, and

rural adult education in each county; and to provide county appropriation for conducting such educational work, was again taken up and considered.

The call of the Senate was declared to be complete.

Senator Harrington moved the previous question on all pending amendments and the bill, which motion prevailed.

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

AFTERNOON SESSION

Having recessed until 1:30 p. m., the Senate reconvened, President N. G. Kraschel presiding.

Senator Wilson was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 338, by committee on cities and towns, a bill for an act providing for the creation and establishment, for the state of Iowa, of a state board for licensing contractors; providing for the appointment and qualification of the members of said board and the organization and jurisdiction thereof; providing for the registration of contractors, and defining the term "contractor"; providing for the method of obtaining licenses for contractors engaged in the business of contracting; providing the method of suspension and revocation of such licenses; and providing penalties for violations of the provisions of this act.

The bill was read first and second times and placed on the calendar.

Senate File 339, by committee on cities and towns, a bill for an act to amend sections five thousand nine hundred thirty-eight (5938), five thousand nine hundred forty (5940), and six thousand two hundred thirty-nine (6239), Code, 1931; to authorize cities and towns to improve streets and highways by surfacing or re-surfacing, and to pay for said improvements by issuing bonds therefor, and to provide for an election therefor.

The bill was read first and second times and placed on the calendar.

Senate File 340, by committee on cities and towns, a bill for

an act to legalize certain expenditures heretofore made by the city of Davenport, Iowa, a municipal corporation acting under special charter, for the publication of delinquent tax lists during the years 1932, 1933 and 1934.

The bill was read first and second times and placed on the calendar.

Senate File 341, by committee on cities and towns, a bill for an act to define and regulate the installation of compressed gas systems.

The bill was read first and second times and placed on the calendar.

HOUSE MESSAGES CONSIDERED

House File 174, a bill for an act to repeal the law as it now appears in chapter one hundred eighteen (118), Code, 1931, and to enact a substitute therefor regulating the practice of osteopathy and of osteopathy and surgery.

The bill was read first and second times and referred to committee on public health.

CONSIDERATION OF SENATE FILE 131 CONCLUDED

Roll call revealed Senators Chrystal, Bell of Crawford, Geske, and Kimberly absent.

On motion of Senator Elthon, Senators Bell of Crawford, Geske and Kimberly were excused from the call of the Senate, unless the final vote should indicate that the presence of these Senators might determine the failure or passage of Senate File 131.

Senator Chrystal appeared in the Senate and the call of the Senate was declared to be complete.

Senator Elthon moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 20:

Anderson	Fisch	Mason	Reese
Aschenbrenner	Goetsch	McArthur	Roelofs
Chrystal	Harrington	Meyer	Shangle
Dewey	Hush	Mullaney	Shaw
Elthon	Malone	Pendray	Valentine

Nays, 27:

Baldwin	Corwin	Knudson	Schmidt
Beardsley	Donohue	Miller	Stanley
Bell of	Doze	Millhone	Stevens of
Des Moines	Driscoll	Moore	Decatur
Berg	Grunewald	Nelson	Stevens of
Billingsley	Hopkins	Parker	Wapello
Byers	Husted	Patterson	Wilson
Calhoun	Irwin		

Absent or not voting, 3:

Bell of Crawford	Geske	Kimberly
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The bill not having received a constitutional majority was declared to have failed to pass the Senate.

Senator Baldwin moved that the vote by which Senate File 131 failed to pass the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

THIRD READING OF BILLS

Senate File 159, a bill for an act to regulate the purchase, sale, handling and treatment of cream; to provide for the grading of cream and for the issuance of licenses authorizing such grading; to provide for the issuance of licenses as a condition precedent to the operation of creameries, cream stations, and cream routes; to prohibit the sale for human consumption of unlawful cream, as herein defined; and to provide penalties for the violation of this act, was again taken up and considered.

Senator Patterson offered the following amendment and moved its adoption:

Amend Senate File 159, section twenty-six (26), by inserting after the word "purchase" in line 1 of subsection six (6), (line 12, of section twenty-six (26)), the following: " possession" and further amend by changing the comma after the word "consumption" in line 13 to a period and by striking the remainder of said sentence.

The motion prevailed and the amendment was adopted.

SECRETARY OF AGRICULTURE ADDRESSED SENATE

By unanimous consent granted Senator Stevens of Wapello, Secretary of Agriculture Ray Murray was called before the Senate to discuss Senate File 159.

THIRD READING OF BILLS

President pro tempore Harold L. Irwin took the chair at 3:00 p. m.

Senator Baldwin offered the following amendment and moved its adoption:

Amend Senate File 159, section five (5), by striking the word "one" in line 4, and inserting in lieu thereof the word "three."

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 7:

Baldwin	Hopkins	Reese	Stevens of
Driscoll	Malone	Shangle	Decatur

Nays, 29:

Anderson	Doze	Meyer	Schmidt
Aschenbrenner	Elthon	Mullaney	Shaw
Beardsley	Fisch	Nelson	Stanley
Berg	Goetsch	Parker	Stevens of
Billingsley	Grunewald	Patterson	Wapello
Chrystal	Irwin	Pendray	Valentine
Corwin	Knudson	Roelofs	Wilson
Dewey	McArthur		

Absent or not voting, 14:

Bell of Crawford	Calhoun	Hush	Miller
Bell of	Donohue	Husted	Millhone
Des Moines	Geske	Kimberly	Moore
Byers	Harrington	Mason	

The motion to amend was lost.

Senator Beardsley moved the previous question, which motion prevailed.

Senator Grunewald moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 37:

Anderson	Donohue	Knudson	Schmidt
Aschenbrenner	Doze	McArthur	Shangle
Baldwin	Driscoll	Meyer	Shaw
Beardsley	Elthon	Moore	Stevens of
Berg	Fisch	Mullaney	Decatur
Billingsley	Goetsch	Nelson	Stevens of
Calhoun	Grunewald	Patterson	Wapello
Chrystal	Harrington	Pendray	Valentine
Corwin	Hopkins	Reese	Wilson
Dewey	Irwin	Roelofs	

Nays, 2:

Husted Malone

Absent or not voting, 11:

Bell of Crawford	Byers	Kimberly	Millhone
Bell of	Geske	Mason	Parker
Des Moines	Hush	Miller	Stanley

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

Senator Stevens of Wapello moved that the vote by which Senate File 159 passed the Senate be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE 159 MESSAGED TO HOUSE

By unanimous consent granted Senator Stevens of Wapello, it was ordered that the rules be suspended and Senate File 159 be messaged to the House immediately.

BILLS PLACED ON THE CALENDAR

By unanimous consent granted Senator Baldwin, it was ordered that Rule 35 be invoked and Senate File 206 be placed on the calendar.

By unanimous consent granted Senator Schmidt, it was ordered that Rule 35 be invoked and Senate Files 263 and 183 be placed on the calendar.

By unanimous consent granted Senator Calhoun, it was ordered that Rule 35 be invoked and Senate Files 277 and 278 be placed on the calendar

CALL OF THE SENATE FILED

MR. PRESIDENT: The undersigned Senators request a call of the Senate when the motion to reconsider the vote by which Senate File 156 failed to pass the Senate and by which it passed to its third reading, is considered.

VINCENT F. HARRINGTON.
L. H. MEYER.
C. E. MALONE.
T. W. MULLANEY.
L. T. SHANGLE.
FRANK M. STEVENS.
M. X. GESKE.

CHRIS REESE.
ANDREW BELL.
H. F. GRUNEWALD.
E. I. MASON.
PAUL SCHMIDT.
GARRITT ROELOFS.
IRVING KNUDSON.

REPORTS OF COMMITTEES

Senator Reese submitted the following report:

MR. PRESIDENT: Your committee on labor to which was referred House File 42, a bill for an act to amend chapter seventy-six (76), Code, 1931, relating to child labor laws and to prevent the employment of juvenile labor in places operating under public licenses, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

CHRIS REESE, *Chairman*.

Ordered passed on file.

Senator Wilson submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File 192, a bill for an act to amend the law as it appears in chapter seventy-five (75) of the laws of the Forty-fifth General Assembly, Extraordinary Session, being an act relating to and providing for the creation, maintenance and administration of a police retirement or pension system and/or a fire retirement or pension system in all cities of this state, including special charter cities and cities under the city manager form of government, that now or may hereafter have police and/or fire department employees appointed under civil service as required by law; and providing who shall be eligible to benefits and what benefits shall be payable; and further defining the term "widow," begs leave to report it has had the same under consideration and recommends the same do pass.

GEORGE A. WILSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File 221, a bill for an act providing a limit on tax levies for certain purposes of agricultural land located in a district which includes a city or town, begs leave to report it has had the same under consideration and recommends the same do pass.

GEORGE A. WILSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File 235, a bill for an act relating to the preparation and publication of tax levy estimates in cities; amending section three hundred seventy (370), Code, 1931; and repealing section three hundred seventy-five (375), Code, 1931, and substituting another section therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

GEORGE A. WILSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was

referred Senate File 237, a bill for an act making subsection two (2) and ten (10) of section sixty-two hundred eleven (6211), Code, 1931, as amended by chapter one hundred twenty-one (121), acts of the Forty-fifth General Assembly, relating to the levying of taxes by cities and towns, applicable to cities acting under special charter, begs leave to report it has had the same under consideration and recommends the same do pass.

GEORGE A. WILSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File 175, a bill for an act providing for the appointment of a city assessor and his deputies, in cities of the first class, their compensation and the expense of maintaining the city assessor's office in all first class cities and amending sections sixty-five hundred twenty-eight (6528), sixty-six hundred fifty-one (6651), fifty-six hundred sixty-nine (5669), fifty-six hundred fifty-six (5656) and fifty-six hundred thirty-two (5632), begs leave to report it has had the same under consideration and returns the bill without recommendation.

GEORGE A. WILSON, *Chairman.*

Ordered passed on file.

Senator Knudson submitted the following report:

MR. PRESIDENT: Your committee on insurance to which was referred Senate Joint Resolution 6, a bill for an act providing for appointment of an investigating committee whose duty it shall be fully to investigate the insurance department of the state of Iowa, begs leave to report it has had the same under consideration and returns the bill without recommendation.

IRVING H. KNUDSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on insurance to which was referred Senate File 158, a bill for an act to amend section ninety-one hundred nineteen (9119), Code, 1931, relating to the licensing of agents, begs leave to report it has had the same under consideration and returns the bill without recommendation, and recommends the same be amended as follows:

Amend Senate File 158 by adding at the end of Section one (1) of said bill, the following:

"Such application shall not be filed in connection with any application for a new license or a renewal license by any agent who has once filed such application and been issued a license by the commissioner of insurance, unless the commissioner shall so order."

Further amend said bill by substituting a comma for the period at the end of section three (3) thereof and adding the following to said section three (3):

"nor shall any of the provisions of this act be deemed to prohibit the

licensing of any executive or traveling salaried employee as an agent of any such insurer.”

IRVING H. KNUDSON, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend House File 174, as follows:

Amend section one (1), lines 17, 18, 19, 20 and 21, by striking after the word “maladjustment” in line 17, the following: “and/or by other therapeutic agents, methods and modalities used supplementary thereto; but such supplementary agents, methods or modalities shall be used only preliminary to, preparatory to and/or in conjunction with such manual treatment.” and inserting a period after the word “maladjustment” in line 17.

M. X. GESKE.

Amend Senate File 321, section one (1), line 16 by striking the word “or” and inserting in lieu thereof the word “and.”

JOHN BERG.

On motion of Senator Stevens of Wapello, the Senate adjourned until 10:00. a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 3, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. G. S. Nichols, pastor of the M. E. church at Audubon.

The Journal of April 2, 1935, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Kimberly for the day, on request of Senator Geske.

PETITIONS AND MEMORIALS

The following petitions were received and filed, to be referred to the designated committees:

Senator Chrystal, from residents of Sac county, opposing Senate File 283. Committee on board of control and public welfare.

Senator Anderson, from residents of Calhoun county, opposing port of entry bill. Committee on motor vehicles.

Senator Fisch, from residents of Ida county, opposing county unit plan. Committee on county and township affairs.

Senator Byers, from residents of Linn county, opposing Senate File 166. Committee on ways and means.

Senator Valentine, from residents of Appanoose county, favoring chain store tax bill. Committee on cities and towns.

Senator Bell of Crawford, from residents of Crawford county, opposing chain store tax bill. Committee on cities and towns.

SENATE CONCURRENT RESOLUTION 18 ADOPTED

Senator Byers called up for consideration Senate Concurrent Resolution 18, as found on page 719 of the Senate Journal.

On motion of Senator Byers, the concurrent resolution was adopted.

THIRD READING OF BILLS

Senator Stanley asked unanimous consent that Senate File 227 be made a special order of business for 11:00 a. m. Friday, April 5th. Objections were raised and the request was denied.

By unanimous consent granted Senator Stanley, Senate File 227, a bill for an emergency act to amend the law relating to corporations for pecuniary profit as it now appears in section eighty-three hundred sixty-four (8364), Code, 1931; lengthening, by three (3) years the corporate life of all such corporations whose charter would otherwise expire during the year 1935 or 1936; postponing the time within which the charter of such corporations may be renewed; suspending all laws, or parts of law, in conflict herewith, and providing for the termination of this emergency act, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

The following committee amendment was adopted:

Amend section one (1) of Senate File 227 by striking from lines 13 and 17 the word "three (3)" and by substituting in each of said lines for the word so stricken the following: "two (2)."

Amend Senate File 227 by striking therefrom section two (2) thereof and by substituting for the section so stricken the following:

"Sec. 2. That the law as it appears in section eighty-five hundred eighty-three (8583), Code, 1931, be and the same is hereby amended by changing the period at the end thereof to a semicolon and by adding thereto, immediately following such semicolon, the following: 'provided, however, that the corporate life of any such corporation whose charter expires during the calendar year 1935 or 1936 shall hereby be extended for a period of two (2) years from its respective expiration date, and no corporate charter of any such corporation shall be renewed under and by virtue of, or in accordance with, the provisions of section eighty-five hundred ninety-two (8592), Code, 1931, for a period of two (2) years following such expiration date.'

"Sec. 3. In no event shall this act be in force after December 31, 1938.

"Sec. 4. Renumber section three (3) of the bill as section four (4)."

Senator Shaw moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 39:

Baldwin	Dewey	Kimberly	Pendray
Beardsley	Donohue	Mason	Shangle
Bell of Crawford	Doze	McArthur	Shaw
Bell of Des Moines	Elthon	Meyer	Stanley
Berg	Fisch	Miller	Stevens of Decatur
Billingsley	Geske	Millhone	Stevens of Wapello
Byers	Goetsch	Moore	Valentine
Calhoun	Grunewald	Mullaney	Wilson
Chrystal	Hopkins	Parker	
Corwin	Hush	Patterson	
	Husted		

Nays, none.

Absent or not voting, 11:

Anderson	Harrington	Malone	Roelofs
Aschenbrenner	Irwin	Nelson	Schmidt
Driscoll	Knudson	Reese	

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

Senator Stanley moved that the vote by which Senate File 227 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE 227 MESSAGED TO HOUSE

By unanimous consent granted Senator Stanley, it was ordered that the rules be suspended and Senate File 227 be messaged to the House immediately.

THIRD READING OF BILLS

By unanimous consent granted Senator Beardsley, Senate File 199, a bill for an act extending the time in which to pay, without penalty, the first installment of all taxes payable in 1935, and to provide for interest on said installment in case payment is not made within the time specified, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Beardsley offered the following amendment and moved its adoption:

Amend Senate File 199 by changing the comma to a period after the word "Iowa" in line 6, section two (2), and strike the remainder of the section.

The motion prevailed and the amendment was adopted.

Senator Beardsley moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 36:

Baldwin	Donohue	Irwin	Parker
Beardsley	Doze	Kimberly	Patterson
Bell of Crawford	Elthon	Mason	Pendray
Bell of	Fisch	McArthur	Shangle
Des Moines	Geske	Meyer	Shaw
Billingsley	Goetsch	Miller	Stanley
Byers	Grunewald	Millhone	Stevens of
Calhoun	Hopkins	Moore	Decatur
Corwin	Hush	Mullaney	Valentine
Dewey	Husted		

Nays, none.

Absent or not voting, 14:

Anderson	Driscoll	Nelson	Stevens of
Aschenbrenner	Harrington	Reese	Wapello
Berg	Knudson	Roelofs	Wilson
Chrystal	Malone	Schmidt	

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

Senator Beardsley moved that the vote by which Senate File 199 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE 199 MESSAGED TO HOUSE

By unanimous consent granted Senator Beardsley, it was ordered that the rules be suspended and Senate File 199 be messaged to the House immediately.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate Joint Resolution 7, relating to the state census.

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

Senate File 125, a bill for an act to restore the corporate status of the Akron domestic local building and loan association of Akron, Iowa.

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

Senate Concurrent Resolution 16, memorializing the Congress of the United States to enact House Resolution 2024 of the Federal Congress.

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

House File 186, a bill for an act prohibiting the acquiring or improving of a new system of diagonal highways.

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

House File 278, a bill for an act relating to the extension of the redemption period from sale under foreclosure of real estate.

VIRGIL LEKIN, *Chief Clerk.*

President pro tempore Harold L. Irwin took the chair at 10:31 a. m.

THIRD READING OF BILLS

The proper time having arrived, House File 79, a bill for an act to amend chapter two hundred eighty-seven (287) and section fifty-six hundred fifty-four (5654), Code, 1931, relating to the bond of city treasurer and the expense of procuring said bond, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stanley moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 35:

Baldwin	Geske	McArthur	Shangle
Beardsley	Goetsch	Meyer	Shaw
Bell of Crawford	Grunewald	Miller	Stanley
Byers	Hopkins	Millhone	Stevens of
Calhoun	Hush	Moore	Decatur
Corwin	Husted	Mullaney	Stevens of
Dewey	Irwin	Parker	Wapello
Donohue	Kimberly	Patterson	Valentine
Doze	Mason	Pendray	Wilson
Fisch			

Nays, none.

Absent or not voting, 15:

Anderson	Berg	Elthon	Nelson
Aschenbrenner	Billingsley	Harrington	Reese
Bell of	Chrystal	Knudson	Roelofs
Des Moines	Driscoll	Malone	Schmidt

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

Senator Stanley moved that the vote by which House File 79 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate File 168, a bill for an act to repeal the law as it now appears in chapter one hundred eighteen (118), Code, 1931, and to enact a substitute therefor regulating the practice of osteopathy and of osteopathy and surgery, was read for information.

HOUSE FILE 174 SUBSTITUTED FOR SENATE FILE 168

By unanimous consent granted Senator Calhoun, it was ordered that the rules be suspended, House File 174 be withdrawn from the committee on public health and substituted for Senate File 168.

House File 174, a bill for an act to repeal the law as it now appears in chapter one hundred eighteen (118), Code, 1931, and to enact a substitute therefor regulating the practice of osteopathy and of osteopathy and surgery, was taken up and considered.

The bill was read for information.

Senator Geske offered the following amendment and moved its adoption:

Amend House File 174 as follows:

Amend section one (1), lines 17, 18, 19, 20 and 21, by striking after the word "maladjustment" in line 17, the following: "and/or by other therapeutic agents, methods and modalities used supplementary thereto; but such supplementary agents, methods or modalities shall be used only preliminary to, preparatory to and/or in conjunction with such manual treatment." and inserting a period after the word "maladjustment" in line 17.

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

AFTERNOON SESSION

Having recessed until 1:30 p. m., the Senate reconvened President pro tempore Harold L. Irwin presiding.

Senator Knudson was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 342, by committee on insurance, a bill for an act to amend certain sections of chapter four hundred (400) of the Code of Iowa, 1931, relating to assessment life insurance, the sections and subject matter of each so amended are as follows: Amend section eighty-six hundred eighty-five (8685) of the Code, 1931, by providing for estates as beneficiaries in addition to other beneficiaries named in said section, amend section eighty-six hundred eighty-six (8686) of the Code, 1931, by striking out said section and substituting a new section therefor, relating to the definition of assessment life insurance; amend section eighty-six hundred eighty-eight (8688) of the Code, 1931, by striking out said section and substituting a new section therefor, relating to the approval of the articles of incorporation and by-laws, by requiring a deposit by such corporations or associations, by requiring existing corporations or associations to immediately file articles of incorporation and certificates with the commissioner of insurance, and providing for compliance with other provisions of said chapter by existing associations or corporations, and providing for operation of said associations until July 1, 1935; amend section eighty-six hundred ninety-two (8692) of the Code, 1931, by striking out all of said section and substituting a new section therefor, relating to the maximum benefits to be paid by said corporations or associations, by requiring a bond for the officers of said corporations or associations, and by providing for the methods of commencing business; amend section eighty-six hundred ninety-four (8694) of the Code, 1931, by striking out all of said section and substituting a new section therefor, relating to insurable age, beneficiaries and change thereof and assignment of the beneficiary's interest; amend section eighty-six hundred ninety-six (8696) of the Code, 1931, by striking out all of said section and substituting a new section therefor, relating to the publication of reports, examination of corporations or associations and providing for the payment of expenses connected with said examination; amend section eighty-seven hundred three (8703) of the Code, 1931, by requiring foreign corporations or associations to comply with all of the provisions of this chapter as amended; amend section eighty-seven hundred nine (8709) of the Code, 1931, by striking out all of said section and substituting a new section therefor, relating to the appointment of special examiners by the insurance commissioner to examine said corporations or associations and providing for the payment

of the expense of said examinations; amend section eighty-seven hundred fourteen (8714) of the Code, 1931, by striking out all of said section and substituting a new section therefor, relating to the liquidation of said corporations or associations, and relating to the appointment of the commissioner of insurance as a receiver; amend section eighty-seven hundred sixteen (8716) of the Code, 1931, by providing for the method of distributing surplus of said corporations or associations; amend section eighty-seven hundred eighteen (8718) of the Code, 1931, by striking out all of said section and substituting a new section therefor, relating to the operation of assessment associations or corporations whose contracts are contingent upon assessments, and relating to the valuation of policies, and requiring the setting-up of reserves.

The bill was read first and second times and placed on the calendar.

HOUSE MESSAGES CONSIDERED

House File 186, a bill for an act to amend section forty-seven hundred fifty-five-b eight (4755-b8), Code, 1931, relating to the improvement of the primary road system and prohibiting the acquiring or improving of a new system of diagonal highways, with certain exceptions.

The bill was read first and second times and referred to committee on highways.

House File 278, a bill for an act to amend House File 84, section two (2), as passed by the Forty-sixth General Assembly, signed by the Governor on February 6, 1935, and now on file in the office of the secretary of state, relating to the extension of the redemption period from the sale under foreclosure of real estate where deeds of conveyance have not already passed and providing for the inclusion of a foreclosure of a vendee's lien.

The bill was read first and second times and referred to the committee on emergency legislation.

CONSIDERATION OF HOUSE FILE 174 RESUMED

Discussion of the following pending Geske amendment was resumed:

Amend House File 174 as follows:

Amend section one (1), lines 17, 18, 19, 20 and 21, by striking after the word "maladjustment" in line 17, the following: "and/or by other

therapeutic agents, methods and modalities used supplementary thereto; but such supplementary agents, methods or modalities shall be used only preliminary to, preparatory to and/or in conjunction with such manual treatment." and inserting a period after the word "maladjustment" in line 17.

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 12:

Anderson	Donohue	Hopkins	Moore
Aschenbrenner	Fisch	Hush	Parker
Billingsley	Geske	Irwin	Stanley

Nays, 22:

Beardsley	Elthon	Meyer	Schmidt
Calhoun	Goetsch	Miller	Stevens of
Chrystal	Grunewald	Mullaney	Wapello
Dewey	Knudson	Patterson	Valentine
Doze	Mason	Pendray	Wilson
Driscoll	McArthur	Roelofs	

Absent or not voting, 16:

Baldwin	Byers	Malone	Shangle
Bell of Crawford	Corwin	Millhone	Shaw
Bell of	Harrington	Nelson	Stevens of
Des Moines	Husted	Reese	Decatur
Berg	Kimberly		

The motion to amend was lost

Senator Roelofs offered the following amendment and moved its adoption:

Amend House File 174, as amended, by adding thereto, at the end of section eight thereof, the following:

"The words 'internal curative medicine,' as used herein, shall be so construed as not to include antidotes, biologics, drugs necessary to the practice of minor surgery and obstetrics, or to the simpler remedies commonly given for temporary relief."

The motion prevailed and the amendment was adopted.

Senator Billingsley offered the following amendment and moved its adoption:

Amend House File 174 as follows:

Amend section six (6), line 19, by striking the words following: "(7) pharmaco-dynamics;" and by renumbering the remaining subsection of such paragraph.

Also amend section six (6), lines 32 and 33, by striking the words and figures "(29) drug-therapy, (30) biological therapy" and renumbering the remaining subsection of such paragraph.

Further amend by adding section nine (9) as follows:

"Sec. 9. No person now licensed to practice 'osteopathy' or 'osteopathy and surgery' under chapter one hundred eighteen (118), Code, 1931, shall be permitted to practice supplemental therapeutics, methods or modalities described in this act, unless such licensee complies with the provisions of this act and qualifies by an examination before the board of osteopathic examiners of Iowa, it being the intention that this act shall not be retroactive and that licensed practitioners practicing osteopathy or osteopathy and surgery shall not be granted any additional rights or privileges unless qualified by study and examination, as provided under the terms of this act."

By unanimous consent granted Senator Billingsley, the first two paragraphs of the proposed amendment were withdrawn.

Roll call was requested.

The question was, Shall the amendment as corrected be adopted?

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

Ayes, 19:

Anderson	Dewey	Hopkins	Patterson
Aschenbrenner	Donohue	Hush	Shaw
Berg	Fisch	Irwin	Stanley
Billingsley	Geske	Moore	Stevens of
Byers	Grunewald	Parker	Decatur

Nays, 25:

Baldwin	Elthon	Meyer	Schmidt
Bell of	Goetsch	Miller	Shangle
Des Moines	Harrington	Millhone	Stevens of
Calhoun	Husted	Mullaney	Wapello
Chrystal	Knudson	Pendray	Valentine
Corwin	Mason	Reese	Wilson
Driscoll	McArthur	Roelofs	

Abset or not voting, 6:

Beardsley	Doze	Malone	Nelson
Bell of Crawford	Kimberly		

The motion to amend was lost

Senator Donohue offered the following amendment and moved its adoption:

Amend House File 174 as follows:

By striking the word "medicine" in section one (1), line 3 thereof, and substituting the words "Healing Art" in lieu thereof.

The motion prevailed and the amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend House File 174, line 4, of section one (1), by striking the word "all" therefrom.

The motion prevailed and the amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend House File 174 as follows:

Amend section two (2), line 8, by striking the word "medicine" and inserting in lieu thereof the words "healing art."

Amend section two (2), line 15, after the word "of" by striking the word "medicine" and inserting in lieu thereof the words "healing art."

The motion prevailed and the amendment was adopted.

Senator Calhoun offered the following amendment and moved its adoption:

Amend House File 174, as amended, by adding thereto, as section nine (9) thereof, the following:

"Sec. 9. The board of supervisors of any county may enter into contract with one licensed hereunder for the care and treatment of its indigent sick."

Senator Moore raised the point of order that the amendment was not germane to the bill. The chair ruled the point was not well taken.

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 19:

Anderson	Elthon	McArthur	Shangle
Calhoun	Goetsch	Miller	Stanley
Corwin	Husted	Mullaney	Stevens of
Dewey	Knudson	Pendray	Wapello
Driscoll	Mason	Schmidt	Valentine

Nays, 17:

Aschenbrenner	Grunewald	Millhone	Shaw
Billingsley	Hopkins	Moore	Stevens of
Byers	Hush	Patterson	Decatur
Donohue	Irwin	Reese	Wilson
Geske	Meyer		

Absent or not voting, 14:

Baldwin	Bell of	Doze	Malone
Beardsley	Des Moines	Fisch	Nelson
Bell of Crawford	Berg	Harrington	Parker
	Chrystal	Kimberly	Roelofs

The motion prevailed and the amendment was adopted.

Senator Elthon offered the following amendment and moved its adoption:

Amend House File 174, as amended, by adding thereto, as section ten (10) thereof, the following:

"Sec. 10. One licensed hereunder shall have the right to examine applicants, recommend admissions and make reports in connection with the admission of patients to all state-owned institutions."

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 17:

Calhoun	Knudson	Pendray	Shangle
Corwin	Mason	Reese	Stanley
Dewey	McArthur	Roelofs	Stevens of
Elthon	Miller	Schmidt	Wapello
Goetsch	Mullaney		

Nays, 16:

Anderson	Driscoll	Hopkins	Millhone
Aschenbrenner	Fisch	Hush	Moore
Billingsley	Geske	Irwin	Patterson
Donohue	Grunewald	Meyer	Shaw

Absent or not voting, 17:

Baldwin	Berg	Husted	Stevens of
Beardsley	Byers	Kimberly	Decatur
Bell of Crawford	Chrystal	Malone	Valentine
Bell of	Doze	Nelson	Wilson
Des Moines	Harrington	Parker	

The motion prevailed and the amendment was adopted.

CALL OF THE SENATE FILED

We, the undersigned, request a call of the Senate on House File 174 for Wednesday afternoon, April 3, 1935.

JOHN N. CALHOUN.

LEO ELTHON.

E. I. MASON.

ROY E. STEVENS.

SAM D. GOETSCH.

J. BERG.

T. W. MULLANEY.

G. E. ROELOFS.

GEO. A. WILSON.

CAROLYN C. PENDRAY.

H. D. MILLER.

FRANK M. STEVENS.

J. E. DOZE.

L. H. MEYER.

WM. S. BEARDSLEY.

A call of the Senate on House File 174 having been filed, roll call revealed the absence of Senator Kimberly, who had been excused previously, and Senators Bell of Crawford, Malone, and Nelson.

On motion of Senator Valentine Senators Bell of Crawford, Malone and Nelson were excused from the call of the Senate, unless the final vote should indicate that the presence of these Senators might determine the failure or passage of House File 174.

Senator Moore offered the following amendment and moved its adoption:

Amend section three (3) of House File 174 by striking all of paragraph three (3) of said section.

By unanimous consent granted Senator Moore the amendment was withdrawn.

Senator Malone appeared in the Senate chamber.

Senator Moore offered the following amendment and moved its adoption:

Amend House File 174, section three (3), paragraph three (3), by striking the words "who practice osteopathy under the supervision of a licensed osteopathic physician, or" in lines 4 and 5 thereof.

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 24:

Anderson	Dewey	Hopkins	Moore
Aschenbrenner	Donohue	Hush	Parker
Baldwin	Doze	Irwin	Patterson
Beardsley	Driscoll	Knudson	Shaw
Billingsley	Fisch	Malone	Stevens of
Byers	Geske	Meyer	Decatur
Chrystal			

Nays, 23:

Bell of	Grunewald	Millhone	Shangle
Des Moines	Harrington	Mullaney	Stanley
Berg	Husted	Pendray	Stevens of
Calhoun	Mason	Reese	Wapello
Corwin	McArthur	Roelofs	Valentine
Elthon	Miller	Schmidt	Wilson
Goetsch			

Absent or not voting, 3:

Bell of Crawford Kimberly Nelson

The motion prevailed and the amendment was adopted.

Senator Calhoun offered the following amendment and moved its adoption:

Amend the title to House File 174 by adding thereto the following:

"and authorizing the board of supervisors of any county to enter into a contract with one licensed thereunder for the care and treatment of its indigent sick."

The motion prevailed and the amendment was adopted.

Senator Calhoun moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 33:

Beardsley	Elthon	McArthur	Schmidt
Bell of	Goetsch	Meyer	Shangle
Des Moines	Grunewald	Miller	Stanley
Berg	Harrington	Millhone	Stevens of
Byers	Hopkins	Mullaney	Decatur
Calhoun	Husted	Patterson	Stevens of
Corwin	Irwin	Pendray	Wapello
Doze	Knudson	Reese	Valentine
Driscoll	Mason	Roelofs	Wilson

Nays, 13:

Anderson	Dewey	Geske	Moore
Aschenbrenner	Donohue	Hush	Parker
Billingsley	Fisch	Malone	Shaw
Chrystal			

Absent or not voting, 4:

Baldwin	Bell of Crawford	Kimberly	Nelson
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The bill as amended having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Calhoun moved that the vote by which House File 174 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

PROTEST UPON MANNER OF PASSAGE OF HOUSE FILE 174

"I wish to protest upon the manner of passage of House File 174, and wish this to appear in the Journal.

"When the reading was had on the bill, the word 'pediatrics' in section six (6), line 27, was omitted.

"Pediatrics is that subject which includes the diseases of children and includes the diseases of children from birth to the age of fifteen. If that is not included in the studies to be had in these schools that takes out of these schools a large element of their practice.

"I, therefore, want to protest upon the manner of passage of the bill."

JOHN W. BILLINGSLEY.

Unanimous consent was granted Senator Billingsley that his protest be printed in the Journal.

SENATE FILE 217 PLACED ON CALENDAR

By unanimous consent granted Senator Mason, it was ordered that Rule 35 be invoked and Senate File 217 be placed on the calendar.

Senator Mason asked unanimous consent that Senate File 217 be made a special order of business for 10:00 a. m., Thursday, April 11. Objections were raised and the request was denied.

The following concurrent resolution was filed:

SENATE CONCURRENT RESOLUTION 20

A resolution memorializing the President of the United States and the Congress of the United States to immediately cancel the processing tax on hogs and to direct that benefit payments be paid out of funds appropriated to relieve economic distress or said special appropriation of four billion eight hundred million (4,800,000,000) dollars, as by law authorized.

Whereas, There is now being assessed and collected by the United States a processing tax on hogs at the rate of two (2) dollars and twenty-five (25) cents per hundred pounds, and,

Whereas, The declared purpose of Congress in authorizing the Secretary of Agriculture to assess and collect said tax was to pay benefit payments to producers and bring about a parity or equality between the things that the producer sells with the things that the producer buys, and,

Whereas, The last seventeen (17) months during which said tax on hogs has been collected has conclusively established that in the case of hogs the processing tax is reflected in the price received by the producer and that the producer is therefore being taxed to pay himself said benefits as well as the heavy costs of administration, and,

Whereas, The Congress of the United States has recognized such economic effect of the tax and has authorized the President of the United States to cancel such taxes and to pay such benefits out of funds appropriated to relieve economic distress, therefore,

Be It Resolved by the Senate of the State of Iowa, The House of Representatives of the State of Iowa concurring: That the legislature of the state of Iowa respectfully petition the President of the United States and the Congress to immediately cancel said processing tax on hogs and to direct that benefit payments be paid out of said special fund or said special appropriation of four billion eight hundred million (4,800,000,000) dollars, as by law authorized.

G. E. ROELOFS.

G. W. PATTERSON.

SAM D. GOETSCH.

CALL OF THE SENATE FILED

We request a call of the Senate for the consideration of Senate File 53 at 10:00 o'clock a. m., Thursday, April 4, 1935.

A. CLAIRE DEWEY.

E. P. CORWIN.

GEO. L. PARKER.

GEO. M. HOPKINS.

ORA E. HUSTED.

PAUL L. MILLHONE.

GEO. A. WILSON.

CHRIS REESE.

JOHN K. VALENTINE.

SAM D. GOETSCH.

E. I. MASON.

T. F. DRISCOLL.

ANDREW BELL.

T. W. MULLANEY.

C. E. MALONE.

LEO ELTHON.

I. G. CHRYSTAL.

MOTION TO TAKE FROM TABLE

I move to reconsider the vote by which the motion to reconsider Senate File 131 was laid on the table.

PAUL SCHMIDT.

AMENDMENTS FILED

Amend House File 278 by adding the following to section one (1): "Said section is further amended by striking from line 2 the following: 'which has been commenced prior to March 1, 1935,'".

C. E. MALONE.

Amend section one (1) of Senate File 328 by striking the following in lines 6 and 7 thereof after the word "execution" in line 6: "issued upon a judgment rendered on obligation incurred prior to January 1, 1934,".

C. E. MALONE.

REPORTS OF COMMITTEES

Senator Byers submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate Joint Resolution 2, a bill for an act proposing so to amend the constitution of the state of Iowa that the legislative authority of the state will be vested in a single house, etc., begs leave to report it has had the same under consideration and returns the bill without recommendation.

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File 48, a bill for an act to amend section thirteen thousand seven hundred seventy-three (13773), Code, 1931, to provide for the appointment of counsel for any minor accused of any indictable offense, unrepresented by counsel whether or not he shall request counsel, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File 160, a bill for an act to amend section twelve thousand forty-one (12041) as amended by chapter one hundred eighty (180), acts of the Forty-fifth General Assembly, relating to appointment of referees in probate matters, begs leave to report it has had the same under consideration and returns the bill without recommendation.

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File 30, a bill for an act to amend section twelve thousand nine hundred sixty-b three (12960-b3), Code, 1931, as to increase the punishment for violation of the law relative to the possession of machine guns of any nature or kind, and providing for certain exceptions, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File 138, a bill for an act to coordinate certain sections of the code with the budget and financial control act, and to amend sections twenty-eight hundred ninety-one (2891), thirty-nine hundred seventy-nine (3979), forty-four hundred eighty-one (4481), forty-four hundred eighty-two (4482), fifty-two hundred ninety (5290), fifty-two hundred ninety-one (5291), seventy-one hundred eighty-one (7181), seventy-four hundred (7400), and seventy-four hundred one (7401), Code, 1931, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File 190, a bill for an act to define the term "search warrant", to declare the conditions under which search warrants may issue, to amend, revise and codify various statutes pertaining to search warrants, in order to provide a uniform procedure, etc., begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File 232, a bill for an act to repeal sections ninety-one hundred eighty-nine (9189), ninety-two hundred fourteen (9214), ninety-two hundred fifteen (9215), ninety-two hundred seventeen (9217), ninety-

three hundred one (9301) and ninety-three hundred two (9302), Code, 1931, relating to state banks, savings banks, and loan and trust companies, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Senator Wilson moved that the Senate adjourn until 9:30 a. m., Thursday.

Senator Aschenbrenner moved to amend the motion by inserting "10:00 a. m.," in lieu of "9:30 a. m." The motion prevailed and the amendment was adopted.

Roll call was requested.

The question was, Shall the Senate adjourn?

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

Ayes, 38:

Anderson	Donohue	Knudson	Roelofs
Aschenbrenner	Doze	Malone	Schmidt
Beardsley	Fisch	McArthur	Shaw
Bell of	Geske	Meyer	Stanley
Des Moines	Goetsch	Miller	Stevens of
Berg	Grunewald	Moore	Decatur
Billingsley	Harrington	Mullaney	Stevens of
Byers	Hopkins	Nelson	Wapello
Calhoun	Hush	Parker	Valentine
Corwin	Irwin	Patterson	Wilson
Dewey			

Nays, 2:

Mason Reese

Absent or not voting, 10:

Baldwin	Driscoll	Kimberly	Pendray
Bell of Crawford	Elthon	Millhone	Shangle
Chrystal	Husted		

The motion, as amended, prevailed and the Senate adjourned until 10:00 a. m., Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 4, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Father J. P. Quirin, pastor of St. Patrick's church at Britt, Iowa.

The Journal of April 3, 1935 was approved.

PETITIONS AND MEMORIALS

The following petitions were received and filed to be referred to the designated committees:

Senator Chrystal, from residents of Sac county, opposing Senate File 283. Committee on board of control and public welfare.

Senator Berg, from residents of Black Hawk county, opposing port of entry bill. Committee on motor vehicles.

Senator Schmidt, from residents of Johnson county, opposing Senate File 195. Committee on motor vehicles.

Senator Irwin, from residents of Clinton county, favoring teacher's oath bill. Committee on public schools.

INTRODUCTION OF BILLS

Senate File 343, by committee on judiciary No. 1, a bill for an act to legalize renewal of the corporate status of the Lone Rock Telephone Company of Mason City, Iowa.

The bill was read first and second times and placed on the calendar.

Senate File 344, by committee on judiciary No. 1, a bill for an act to provide for the manner of commencing civil actions; to provide for the original notice; the time of appearance of the defendants; the returns in connection therewith; the manner of entering default and judgment thereon in case of default; and to repeal sections eleven thousand fifty-five (11055), eleven thou-

sand fifty-six (11056), eleven thousand fifty-nine (11059), and to amend sections eleven thousand fifty-seven (11057), eleven thousand eighty-three (11083), eleven thousand eighty-seven (11087), five thousand seventy-nine-d thirteen (5079-d13), eleven thousand five hundred eighty-eight (11588), eleven thousand five hundred ninety-two (11592), eleven thousand six hundred seventy-nine (11679), eleven thousand seven hundred thirty-seven (11737), twelve thousand one hundred thirty-one (12131), twelve thousand one hundred fifty-seven (12157), and twelve thousand one hundred sixty-five (12165), Code, 1931, all relating to the manner of commencing civil actions.

The bill was read first and second times and placed on the calendar.

Senate File 345, by committee on judiciary No. 1, a bill for an act to provide for pleadings and the time of filing the same, and the hearing thereon, and the duties of the court in relation thereto; and to repeal sections eleven thousand one hundred twenty-one (11121), eleven thousand one hundred twenty-one-d one (11121-d1), eleven thousand one hundred twenty-two (11122), eleven thousand one hundred thirty-six (11136), and to amend sections eleven thousand one hundred twenty-three (11123), eleven thousand one hundred twenty-three-d one (11123-d1), eleven thousand one hundred thirty-four (11134), eleven thousand one hundred thirty-seven (11137), and eleven thousand one hundred thirty-eight (11138), Code, 1931, all relating to pleadings in civil actions.

The bill was read first and second times and placed on the calendar.

Senate File 346, by committee on judiciary No. 1, a bill for an act to re-enact into a Code of laws the various statutes of a general public nature of the state of Iowa as said statutes existed at the time of the convening of the Forty-sixth General Assembly and to provide for and declare the contents of the Code of 1935.

The bill was read first and second times and placed on the calendar.

Senate File 347, by committee on emergency legislation, a bill for an act providing for the adjustment and payment of delinquent taxes and declaring an emergency.

The bill was read first and second times and placed on the calendar.

Senate File 348, by committee on emergency legislation, a bill for an emergency act to prohibit the issuance, prior to March 1, 1937, by county treasurers or by city treasurers of cities acting under special charters, of any deed consequent on the non-payment of taxes or of levies for special assessments on land, and to preserve the right of redemption during said period.

The bill was read first and second times and placed on the calendar.

Senate File 349, by committee on emergency legislation, a bill for an act to amend chapter one hundred thirty-two (132) of the acts of the Forty-fifth General Assembly in regular session.

The bill was read first and second times and placed on the calendar.

Senate File 350, by committee on judiciary No. 1, a bill for an act to amend number Senate File 65 of the acts of the Forty-fifth General Assembly of Iowa, relating to the issuance and sale of primary road refunding bonds and to the proceeds of primary road refunding bonds and all other funds coming into the possession or control of a county treasurer for the purpose of paying interest on, or principal of, primary road bonded indebtedness; and requiring security from depository or trustee for the separate account and/or special trust fund deposit.

The bill was read first and second times and placed on the calendar.

Senate File 351, by committee on judiciary No. 1, a bill for an act to amend sections forty-nine hundred sixty d-thirty-three (4960 d-33) and five thousand twenty-seven (5027) of the 1931 Code of Iowa, and to repeal section forty-nine hundred sixty d-forty-five (4960 d-45) of the 1931 Code of Iowa, and to enact a substitute therefor, all relating to the suspension of drivers' and chauffeurs' licenses, and to convictions for driving motor vehicles while intoxicated.

The bill was read first and second times and placed on the calendar.

Senate File 352, by committee on emergency legislation, a bill for an act exempting mortgages executed and insured under the provisions of Title II of the national housing act from the provisions of House File 84 and Senate File 34, commonly known as the mortgage moratorium acts, acts of the Forty-sixth General Assembly of Iowa.

The bill was read first and second times and placed on the calendar.

HOUSE FILE 174 MESSAGED TO HOUSE

By unanimous consent granted Senator Calhoun, it was ordered that the rules be suspended and House File 174 be messaged to the House immediately.

ACTION DEFERRED ON BILLS

By unanimous consent granted Senator Mullaney, it was ordered that the rules be suspended and action on all bills recommended for indefinite postponement be deferred until the following day.

THIRD READING OF BILLS

There being a call of the Senate on file, roll call revealed Senators Aschenbrenner, Chrystal, Irwin and Parker absent.

On motion of Senator Valentine, Senators Aschenbrenner, Chrystal, Irwin and Parker were excused until such time as a roll call might be had.

Senate File 53, a bill for an act to encourage the acquiring and ownership of homesteads; to amend chapter eighty-two (82), acts of the Forty-fifth General Assembly, Extraordinary Session, relating to taxation, income and retail sales; to strike paragraphs three (3) and four (4), of section sixty-one (61) of said chapter, and to substitute in lieu thereof a new paragraph, as paragraph three (3) of said section, relating to the allocation of funds arising under the provisions of said chapter to the reduction of taxes on homesteads; to strike paragraph three (3), of section sixty-two (62) of said chapter and to substitute in lieu thereof a new paragraph, as paragraph three (3) of said section, and prescribing the procedure of county treasurers in the certification and distribution to the several taxing districts of the counties of moneys received from the comptroller on order of the board; to define homesteads and providing for designation thereof, and prescribing the duties of officers, and providing a method of entering credits against the tax

on the first twenty-five hundred (2500) dollars of the assessed value of homesteads, and providing a method for determining beneficiaries of such credits; to provide for the disposition of the excess, if any, transmitted to county treasurers, over and above the total tax levied on homesteads within such twenty-five hundred (2500) dollar limit; to provide a method of review of all questions relating to tax credits on homesteads, and providing a penalty for making false affidavit for the purpose of securing such credit, was read for information.

HOUSE FILE 88 SUBSTITUTED FOR SENATE FILE 53

By unanimous consent granted Senator Shaw, it was ordered that the rules be suspended, House File 88 be withdrawn from the committee on ways and means and substituted for Senate File 53.

House File 88, a bill for an act to encourage the acquiring and ownership of homesteads; to amend chapter eighty-two (82), acts of the Forty-fifth General Assembly, Extraordinary Session, relating to taxation, income and retail sales; to strike paragraphs three (3) and four (4), of section sixty-one (61) of said chapter, and to substitute in lieu thereof new paragraphs as paragraphs two (2) and three (3) of said section, relating to the allocation of funds arising under the provisions of said chapter to the reduction of taxes on homesteads; to strike paragraph three (3), of section sixty-two (62) of said chapter and to substitute in lieu thereof a new paragraph, as paragraph three (3) of said section, and prescribing the procedure of county treasurers in the certification and distribution to the several taxing districts of the counties of moneys received from the comptroller on order of the board; to define homesteads and providing for designation thereof, and prescribing the duties of officers, and providing a method of entering credits against the tax on the first twenty-five hundred (2500) dollars of the assessed value of homesteads, and providing a method for determining beneficiaries of such credits; to provide for the disposition of the excess, if any, transmitted to county treasurers, over and above the total tax levied on homesteads within such twenty-five hundred (2500) dollar limit; to provide a method of review of all questions relating to tax credits on homesteads, and providing a penalty for making false affidavit for the purpose of securing such credit, was taken up and considered.

The bill was read for information.

Senators Aschenbrenner, Irwin, and Parker appeared in the Senate Chamber.

Senator Beardsley was called to the chair at 10:40 a. m.

Senator McArthur offered the following amendment and moved its adoption:

Amend House File 88 as amended and passed on March 21, 1935, as follows:

Amend section two (2) by striking all of said section and substituting in lieu thereof the following:

"Sec. 2. 1. From the revenue to be distributed as provided in section one (1) of this act there shall be paid to the several counties an amount sufficient to reimburse the county for credits allowed for homestead exemptions as provided in this act.

2. The county treasurer shall enter against the tax bill of each homestead owner who has qualified under the provisions of this act, a credit equivalent to a ten (10) mill levy on its assessed valuation. Such credit shall not be allowed on an assessed valuation in excess of four thousand (4,000) dollars per homestead.

3. When the county treasurer has compiled the total credits to be allowed on homestead exemptions in his county, he shall requisition the state treasurer for an amount sufficient to reimburse the county for the credits allowed on such homestead exemptions."

Also amend House File 88 by striking section nine (9).

Senator Chrystal having appeared in the Senate Chamber, the call of the Senate was declared to be complete.

Senator Hopkins moved the previous question on the pending amendment. By unanimous consent, Senator Hopkins withdrew his motion.

Senator Hush offered the following amendment and moved its adoption:

Amend House File 88, section one (1), by inserting an additional subsection immediately after subsection two (2) ending in line 15 to read as follows:

"3. During the fiscal year beginning July 1, 1935, and ending June 30, 1936 only, the board shall set aside and cause to be paid into the general fund of the state from the balance of said special tax fund a sum of not to exceed one million five hundred thousand (1,500,000) dollars quarterly, with which together with other state revenues expendable for such purposes, to pay all items of general expense of the state government for the fiscal year as authorized and appropriated for by the General Assembly."

Further amend by renumbering the remaining subsections accordingly.

ACTION ON HOUSE FILE 88 DEFERRED

On motion of Senator Baldwin, action on House File 88 was deferred until 1:30 p. m.

THIRD READING OF BILLS

By unanimous consent granted Senator Shangle, Senate File 93, a bill for an act to amend section five thousand four hundred forty-three (5443), Code of 1931, relating to meeting of boards of township trustees, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

President N. G. Kraschel returned to the chair at 11:10 a. m.

Senator Shangle moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 35:

Anderson	Dewey	Knudson	Patterson
Aschenbrenner	Doze	Malone	Reese
Baldwin	Driscoll	Mason	Roelofs
Beardsley	Elthon	Meyer	Schmidt
Berg	Fisch	Miller	Shangle
Billingsley	Geske	Moore	Shaw
Byers	Goetsch	Mullaney	Stanley
Chrystal	Grunewald	Nelson	Stevens of
Corwin	Hopkins	Parker	Decatur

Nays, 2:

Valentine	Wilson
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Absent or not voting, 13:

Bell of Crawford	Donohue	Irwin	Pendray
Bell of	Harrington	Kimberly	Stevens of
Des Moines	Hush	McArthur	Wapello
Calhoun	Husted	Millhone	

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

Senator Shangle moved that the vote by which Senate File 93 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE 93 MESSAGED TO HOUSE

By unanimous consent granted Senator Shangle, it was ordered that the rules be suspended and Senate Sile 93 be messaged to the House immediately.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 59, a bill for an act relative to the administration of oaths and empowering investigators for old age assistance to take affirmation.

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

House File 133, a bill for an act relating to the management of municipally owned waterworks, heating plant, etc.

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

House File 156, a bill for an act relating to the sale of adulterated food.

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

House File 157, a bill for an act providing for a license fee for movable lunch stands.

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

House File 165, a bill for an act requiring liability insurance for all contractors on public improvements, their subcontractors, their independent contractors and the employees of any of them.

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

House File 166, a bill for an act relating to the taxation of public securities.

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

House File 247, a bill for an act providing for advance notice in criminal cases of the defenses of insanity or alibi.

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

House File 264, a bill for an act to limit the transportation of explosive and inflammable substances and materials upon the public highways.

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

House File 265, a bill for an act to protect the public from disabled vehicles in the public highways.

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

Senate File 113, a bill for an act to revise and modernize the laws relating to cooperative corporations.

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

Senate File 203, a bill for an act to legalize the corporate acts and proceedings of the Times Company of Davenport, Iowa.

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

Senate File 289, a bill for an act to legalize and validate the proceedings taken by the town council of the town of Grundy Center, Iowa.

VIRGIL LEXIN, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 113

1. Section one (1), line 3, strike the words "or renewed."
2. Section two (2), line 8, insert after the word "each" the word "voting."
3. Section three (3), line 8, strike the words "for its members."
4. Section six (6), line 8, insert after the word "machinery" the following: "petroleum products,".
5. Section seven (7), subsection (c), add thereto the following: "Provided, however, that nothing in this act shall be construed in any way to repeal or change chapter four hundred fifteen-B1, (415-B1), Code, 1931, relating to cooperative banks."
6. Section thirteen (13), line 12, strike the word "local" and insert in lieu the word "cooperative."
7. Section fourteen (14), add thereto the following:
"If the articles so provide, membership shall be of two classes, voting and non-voting. Voting members shall be agricultural producers, and all other members shall be non-voting members. Non-voting members shall have all the rights of membership except the right to vote."
8. Section twenty-two (22), add thereto the following:
"If the articles so provide, common stock may be issued in two classes, voting and non-voting. Voting stock shall be issued to all agricultural producers and non-voting stock to all other members. Non-voting stock shall have all privileges of membership except the right to vote. Preferred stock held by non-members shall not exceed in amount that held by members."
9. Section twenty-five (25), lines 5 and 6, strike the following: " , as determined by the directors" and insert a period and the following:
"Issuance of such stock in an amount exceeding twenty-five thousand (25,000) dollars shall be governed by the law as found in sections eighty-four hundred thirteen (8413) and eighty-four hundred fourteen (8414), chapter three hundred eighty-six (386) of the 1931 Code of Iowa. Issuance of such stock in amounts smaller than twenty-five thousand (25,000) dollars shall be upon the fair market value of the property purchased, as determined through an appraisal made by the directors or a competent appraiser employed by the directors."
10. Section twenty-seven (27), line 9, strike the word and figure "five (5)" and insert in lieu "twenty (20)"; also strike the period after the word "association" in line 14 and insert the following: " , or if the articles so provide, by publication in a regular publication of general

circulation among its members, or a newspaper of general circulation published at the principle place of business of the association."

11. Section twenty-eight (28), line 2, insert after the word "each" the word "voting."

12. Section thirty-six (36), subsection (d), add thereto the following: "Districts shall be so formed and redistricting shall be ordered, from time to time, so that the districts contain as nearly as possible an equal number of members."

13. Section thirty-eight (38), line 3, insert after the word "all" the word "voting."

14. Section thirty-nine (39), line 1, strike the word "Any" and insert in lieu the following:

"If provided for in the articles of incorporation, any."

15. Section forty-five (45), as follows: Line 4, strike the word and figures "fifteen (15)" and insert in lieu "ten (10)."

Line 5, strike the words and figures "twenty (20) cents" and insert in lieu "one (1) dollar."

Line 8, strike the words and figure "five (5) dollars" and insert in lieu "one (1) dollar."

Line 10, strike the words and figures "twenty (20) cents" and insert in lieu "one (1) dollar."

Line 13, strike the word and figure "two (2)" and insert in lieu "ten (10)".

Line 15, strike the words and figure "five (5) dollars" and insert in lieu "one (1) dollar."

16. Section forty-seven (47), line 8, insert after the word "all" the word "voting."

17. Section fifty-two (52) as follows: Line 1, strike the words "before September first."

Line 6, strike the following: "the attorney general,"

18. Section fifty-nine (59), strike all of the section and substitute therefor the following:

"Sec. 59. Exemptions from securities act.

None of the exemptions contained in section eighty-five eighty-one-c four (8581-c4) and eighty-five eighty-one-c five (8581-c5), chapter three hundred ninety-three-C one (393-C1), Code of 1931, shall apply to any security issued by any association formed hereunder, when the total amount thereof exceeds twenty-five thousand (25,000) dollars.

This section shall not apply to certificates of interest or indebtedness issued to members or patrons for revolving fund deductions or for deferred patronage dividends."

19. Section sixty-one (61), strike all of the section and substitute therefor the following:

"Sec. 61. The provisions of chapters three hundred eighty-nine (389) and three hundred ninety (390), Code, 1931, are hereby declared inoperative as to corporations chartered from and after July 4, 1935, but said chapters three hundred eighty-nine (389) and three hundred ninety (390), Code, 1931, shall continue in force and effect as to corporations organized or operating thereunder prior to July 4, 1935, so long as any such cor-

porations elect to operate under or renew their charters under said chapters."

20. Amend the title by striking from lines 14 and 15 the following: "to repeal inconsistent laws, including" and inserting in lieu thereof "to limit the application of."

THIRD READING OF BILLS

By unanimous consent granted Senator Hopkins, Senate File 1, a bill for an act to repeal section seven hundred forty-nine (749) to and including section seven hundred sixty (760) of the Code of Iowa, 1931, relating to official ballots, and to enact and substitute therefor; and to amend section seven hundred seventy-five (775) of the Code, 1931, was taken up and considered.

The bill was read for information.

Senator Donohue moved the previous question, which motion prevailed.

Senator Hopkins moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 36:

Anderson	Donohue	Kimberly	Parker
Aschenbrenner	Doze	Knudson	Patterson
Beardsley	Elthon	Malone	Pendray
Berg	Fisch	McArthur	Roelofs
Billingsley	Geske	Meyer	Shangle
Byers	Goetsch	Millhone	Shaw
Calhoun	Grunewald	Moore	Stanley
Chrystal	Hopkins	Mullaney	Stevens of
Corwin	Hush	Nelson	Decatur
Dewey	Husted		

Nays, 6:

Bell of Crawford	Bell of Des Moines	Driscoll Mason	Reese Schmidt
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Absent or not voting, 8:

Baldwin	Irwin	Stevens of	Valentine
Harrington	Miller	Wapello	Wilson

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

Senator Hopkins moved that the vote by which Senate File 1

passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

HOUSE AMENDMENTS CONSIDERED

Senator Moore asked unanimous consent that the rules be suspended and the House amendments to Senate File 20 be considered. Objections were raised and the request was denied.

Senator Moore moved that the rules be suspended and the House amendments to Senate File 20 be considered.

Roll call was requested.

The question was, Shall the House amendments to Senate File 20 be considered at this time?

On the question, Shall the House amendments to Senate File 20 be considered at this time? the vote was:

Ayes, 40:

Anderson	Doze	Knudson	Reese
Aschenbrenner	Driscoll	Malone	Roelofs
Baldwin	Elthon	McArthur	Shaw
Beardsley	Fisch	Meyer	Stanley
Bell of Crawford	Geske	Millhone	Stevens of
Berg	Grunewald	Moore	Decatur
Billingsley	Harrington	Mullaney	Stevens of
Byers	Hopkins	Nelson	Wapello
Corwin	Hush	Parker	Valentine
Dewey	Irwin	Patterson	Wilson
Donohue	Kimberly		

Nays, 8:

Bell of	Goetsch	Mason	Schmidt
Des Moines	Husted	Pendray	Shangle
Calhoun			

Absent or not voting, 2:

Chrystal	Miller
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The motion having received a two-thirds majority, the rules were suspended and the House amendments to Senate File 20 were called up for consideration.

Senator Moore moved that the Senate concur in the following House amendments:

Amend Senate File 20 as follows:

1. Section three (3), line 2, by striking the word and figure "five (5)" and inserting in lieu thereof "six (6)."
2. Section six (6), lines 16 and 17, by striking the words "be licensed to engage in the practice of the healing art" and substituting in lieu thereof "hold a degree in any of the healing arts."

3. Section sixteen (16), by striking all of the first sentence and inserting in lieu thereof the following:

"Said board shall meet at Des Moines and there conduct examinations in the basic sciences four (4) times each year respectively, on the second Tuesday in January, April, July and October;" also

Line 20, insert after the period following the word "subjects" the following:

"If an applicant fails to attain the required grade in one or more subjects, he may be re-examined in the subject or subjects in which he failed, at any examination within one year without further application or examination fee."

4. Insert immediately after section twenty (20) the following section:

"Sec. 21. Upon presentation to said board of examiners of a certificate from any college or university accredited by the North Central Association of Secondary Schools and Colleges that the person seeking a certificate of proficiency under the provisions of this act has completed a course of study in one or more of said basic sciences of the number of hours provided for in section sixteen (16) of this act and has attained a grade of seventy-five (75) per cent in said subject or subjects the said board of examiners shall waive examination in said subject or subjects, and if said applicant shall have completed a course of study in all of said basic sciences of the number of hours provided for herein and has attained an average grade of seventy-five (75) per cent in each of said subjects the board of examiners shall upon receipt of a certificate to that effect setting forth the grades of the applicant in each of said subjects as hereinbefore provided issue to said applicant a certificate of proficiency in the basic sciences as provided for under the Iowa basic science law without further examination."

5. Renumber the remaining sections of the bill.

Senator Calhoun offered the following amendment and moved its adoption:

Amend the House amendment to Senate File 20 by adding to amendment four (4) the following:

"Every holder of a license to practice any of the healing arts shall be permitted to practice in every institution supported in whole or in part by taxation and to enter into contracts with tax-spending bodies for furnishing professional services for the care of the indigent poor."

Senator Byers raised the point of order that the amendment was not germane to the subject matter of the amendment the Senator was attempting to amend.

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

AFTERNOON SESSION

Having recessed until 1:30 p. m., the Senate reconvened President N. G. Kraschel presiding.

Roll call revealed all members of the Senate present, excepting Senators Geske, Chrystal and Kimberly.

CONSIDERATION OF HOUSE FILE 88 RESUMED

Discussion of the following pending McArthur amendment was resumed:

Amend House File 88 as amended and passed on March 21, 1935, as follows:

Amend section two (2) by striking all of said section and substituting in lieu thereof the following:

"Sec. 2. 1. From the revenue to be distributed as provided in section one (1) of this act there shall be paid to the several counties an amount sufficient to reimburse the county for credits allowed for homestead exemptions as provided in this act.

2. The county treasurer shall enter against the tax bill of each homestead owner who has qualified under the provisions of this act, a credit equivalent to a ten (10) mill levy on its assessed valuation. Such credit shall not be allowed on an assessed valuation in excess of four thousand (4000) dollars per homestead.

3. When the county treasurer has compiled the total credits to be allowed on homestead exemptions in his county, he shall requisition the state treasurer for an amount sufficient to reimburse the county for the credits allowed on such homestead exemptions."

Also amend House File 88 by striking section nine (9).

Senator McArthur offered the following amendment to the pending amendment.

Amend the McArthur amendment to House File 88 by striking the last sentence in paragraph two (2) and substituting the following sentence: "Such credit shall apply on all homesteads but in no case shall the credit amount to more than forty (40) dollars on each homestead."

By unanimous consent the amendment to the amendment was adopted.

Roll call was requested on the motion to adopt the McArthur amendment, as amended.

Senator Shaw moved that Senators Geske, Chrystal and Kimberly be excused from the roll calls unless the vote should indicate that the presence of these Senators might determine the failure or passage of any amendment or the bill, which motion prevailed.

The question was, Shall the amendment as amended be adopted?

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

Ayes, 1:

McArthur

Nays, 41:

Anderson	Corwin	Knudson	Patterson
Aschenbrenner	Dewey	Malone	Pendray
Baldwin	Doze	Mason	Reese
Beardsley	Driscoll	Meyer	Roelofs
Bell of Crawford	Fisch	Miller	Schmidt
Bell of	Goetsch	Millhone	Shangle
Des Moines	Grunewald	Moore	Shaw
Berg	Harrington	Mullaney	Stanley
Billingsley	Hopkins	Nelson	Valentine
Byers	Husted	Parker	Wilson
Calhoun	Irwin		

Absent or not voting, 8:

Chrystal	Geske	Stevens of	Stevens of
Donohue	Hush	Decatur	Wapello
Elthon	Kimberly		

The motion to amend was lost.

Senator Hush offered, as a substitute for the pending Hush amendment, the following amendment and moved its adoption:

Amend House File 88, section one (1), by inserting an additional subsection immediately after subsection two (2) ending in line 15 to read as follows:

"3. During the year 1935 only, the board shall set aside and cause to be paid into the general fund of the state from the balance of said special tax fund a sum of not to exceed one million five hundred thousand (1,500,000) dollars quarterly, with which together with other state revenues expendable for such purposes, to pay all items of general expense of the state government for the current calendar year as authorized and appropriated for by the General Assembly."

Further amend by renumbering the remaining subsections accordingly.

By unanimous consent the substitution was made.

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

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 11:

Baldwin	Doze	Irwin	Valentine
Byers	Elthon	McArthur	Wilson
Donohue	Hush	Miller	

Nays, 34:

Anderson	Bell of Crawford	Berg	Dewey
Aschenbrenner	Bell of	Calhoun	Driscoll
Beardsley	Des Moines	Corwin	Fisch

Goetsch	Mason	Parker	Shaw
Grunewald	Meyer	Patterson	Stanley
Harrington	Millhone	Pendray	Stevens of
Hopkins	Moore	Reese	Decatur
Husted	Mullaney	Roelofs	Stevens of
Knudson	Nelson	Shangle	Wapello
Malone			

Absent or not voting, 5:

Billingsley	Geske	Kimberly	Schmidt
Chrystal			

The motion to amend was lost.

Senator Harrington moved that the Senate adjourn until 10:00 a. m., Friday.

As a substitute motion, Senator Malone moved that the Senate adjourn until 9:00 a. m., Friday.

The motion to substitute was lost.

Roll call was requested.

The question was, Shall the Senate adjourn?

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

Ayes, 9:

Anderson	Donohue	Harrington	Stevens of
Aschenbrenner	Grunewald	Reese	Decatur
Byers			Valentine

Nays, 31:

Beardsley	Driscoll	Malone	Patterson
Bell of Crawford	Elthon	Mason	Roelofs
Bell of	Fisch	Meyer	Schmidt
Des Moines	Goetsch	Millhone	Shangle
Berg	Hopkins	Moore	Shaw
Billingsley	Hush	Mullaney	Stanley
Calhoun	Husted	Nelson	Stevens of
Corwin	Irwin	Parker	Wapello
Dewey			

Absent or not voting, 10:

Baldwin	Geske	McArthur	Pendray
Chrystal	Kimberly	Miller	Wilson
Doze	Knudson		

The motion to adjourn was lost.

Senator Harrington moved that the call of the Senate be raised.

Roll call was requested.

The question was, Shall the call of the Senate be raised?

On the question, Shall the call of the Senate be raised? the vote was:

Ayes, 13:

Anderson	Byers	Pendray	Stevens of
Bell of Crawford	Donohue	Reese	Wapello
Bell of	Grunewald	Schmidt	Valentine
Des Moines	Harrington	Stevens of	
		Decatur	

Nays, 29:

Aschenbrenner	Driscoll	Irwin	Nelson
Beardsley	Elthon	Knudson	Parker
Berg	Fisch	Malone	Patterson
Calhoun	Goetsch	Meyer	Shangle
Chrystal	Hopkins	Millhone	Shaw
Corwin	Hush	Moore	Stanley
Dewey	Husted	Mullaney	Wilson
Doze			

Absent or not voting, 8:

Baldwin	Geske	McArthur	Miller
Billingsley	Kimberly	Mason	Roelofs

The motion to raise the call of the Senate was lost.

By unanimous consent granted Senator Harrington, the committee on federal coordination was temporarily excused from the Senate.

Senator Patterson moved the previous question on House File 88, which motion prevailed.

Senator Wilson was called to the chair at 3:10 p. m.

By unanimous consent granted Senator Elthon, Senator Stevens of Wapello was allowed twenty (20) minutes to speak on the bill.

Senator Shaw moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 39:

Anderson	Corwin	Hopkins	Parker
Aschenbrenner	Dewey	Husted	Patterson
Beardsley	Donohue	Irwin	Pendray
Bell of Crawford	Doze	Knudson	Reese
Bell of	Driscoll	Malone	Roelofs
Des Moines	Elthon	Mason	Schmidt
Berg	Fisch	Meyer	Shangle
Billingsley	Goetsch	Millhone	Shaw
Byers	Grunewald	Mullaney	Stanley
Calhoun	Harrington	Nelson	Wilson

Nays, 9:

Baldwin	McArthur	Stevens of	Stevens of
Chrystal	Miller	Decatur	Wapello
Hush	Moore		Valentine

Absent or not voting, 2:

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

Senator Shaw moved that the vote by which House File 88 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Byers was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 353, by committee on drainage, a bill for an act to permit boards of supervisors of any county to issue drainage refunding improvement certificates and to provide for the postponement of the payments of drainage assessments and installments thereof.

The bill was read first and second times and placed on the calendar.

Senate File 354, by committee on drainage, a bill for an act to permit boards of supervisors of any county to issue drainage refunding bonds and to provide for the postponement of the payment of drainage assessments and installments thereof.

The bill was read first and second times and placed on the calendar.

Senate File 355, by committee on departmental affairs, a bill for an act to regulate the transportation of explosives over highways of this state.

The bill was read first and second times and placed on the calendar.

Senate File 356, by committee on departmental affairs, a bill for an act relating to the manufacture, keeping, storage and sale of explosives and providing for any violation thereof.

The bill was read first and second times and placed on the calendar.

Senate File 357, by committee on departmental affairs, a bill for an act to amend and revise chapter nineteen (19), acts of the Forty-fifth General Assembly in Extraordinary Session, relating to the protection, welfare and assistance of aged persons in need and having domicile in the state of Iowa, relating to the method therefor; relating to the tax levied to support an assistance system; relating to recovery by the state from the estate and life insurance of a deceased recipient for assistance paid him during his lifetime; creating a fund to be known as the old age assistance revolving fund and making an appropriation therefor.

The bill was read first and second times and referred to the committee on appropriations.

Senate File 358, by committee on judiciary No. 1, a bill for an act to amend chapter three hundred thirty-five (335) of the Code of Iowa, 1931, authorizing and empowering the insurance commissioner of the state of Iowa to collect by law delinquent or unpaid taxes due the state of Iowa.

The bill was read first and second times and placed on the calendar.

HOUSE MESSAGES CONSIDERED

House File 59, a bill for an act to amend section twelve hundred sixteen (1216), Code, 1931, relative to the administration of oaths and empowering investigators for old age assistance to take affirmations in any matter pertaining to the business of their office.

The bill was read first and second times and referred to committee on judiciary No. 1.

House File 133, a bill for an act to amend section sixty-one hundred forty-four (6144), Code, 1931, relating to the management of municipally owned waterworks, heating plant, or electric light or power plant.

The bill was read first and second times and referred to the committee on cities and towns.

House File 156, a bill for an act to amend section three thousand sixty (3060), Code, 1931, relating to the sale of adulterated food.

The bill was read first and second times and referred to the committee on livestock and dairy.

House File 157, a bill for an act to amend section twenty-eight hundred twelve (2812) of the Code, 1931, relating to license fees for hotels and restaurants, providing for a license fee for movable lunch stands.

The bill was read first and second times and referred to the committee on livestock and dairy.

House File 165, a bill for an act to require liability insurance for all contractors on public improvements, their subcontractors, their independent contractors and the employees of any of them.

The bill was read first and second times and referred to the committee on judiciary No. 1.

House File 166, a bill for an act to amend section sixty-nine hundred forty-four (6944), Code, 1931, by repealing paragraph five (5) thereof and so to amend section sixty-nine hundred fifty-three (6953) of said Code as to coordinate said latter section with the aforesaid repeal, all relating to the taxation of public securities.

The bill was read first and second times and referred to the committee on banks and banking.

House File 247, a bill for an act to provide for advance notice in criminal cases of the defenses of insanity or alibi, or that the defendant was at some other place.

The bill was read first and second times and referred to the committee on judiciary No. 1.

House File 264, a bill for an act to limit the transportation of explosives and inflammable substances and materials upon the public highways.

The bill was read first and second times and referred to the committee on motor vehicles.

House File 265, a bill for an act to repeal chapter eighty-three (83), acts of the Forty-fifth General Assembly, and to enact a substitute therefor relating to the protection of the public from disabled vehicles in the public highways.

The bill was read first and second times and referred to the committee on motor vehicles.

REPORTS OF COMMITTEES

Senator Meyer submitted the following report:

MR. PRESIDENT: Your committee on drainage to which was referred Senate File 249, a bill for an act to amend section seventy-five hundred ninety-C one (7590-C1), Code, 1931, relating to the purchases of tax sale certificates in drainage districts, begs leave to report it has had the same under consideration and recommends the same do pass.

L. H. MEYER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on drainage to which was referred Senate File 297, a bill for an act to provide for the abandonment and dissolution of drainage or levee districts in certain cases; to provide procedure for sale; to provide for appeal from order of board for same and to provide for payment of expense of same and refund of any balance; to provide for sale of property and distribution of proceeds and to provide for abandonment of right-of-way, begs leave to report it has had the same under consideration and recommends the same do pass.

L. H. MEYER, *Chairman.*

Ordered passed on file.

Senator Knudson submitted the following report:

MR. PRESIDENT: Your committee on insurance to which was referred Senate File 105, a bill for an act to amend section eighty-nine hundred thirty-seven (8937) of the Code, 1931, relating to reserve fund requirements in estimating profits of insurance companies organized under chapter four hundred four (404) of the Code, begs leave to report it has had the same under consideration and recommends the same do pass.

IRVING H. KNUDSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on insurance to which was referred Senate File 244, a bill for an act to amend chapter one hundred fifty-three (153), acts of the Forty-fifth General Assembly, relating to execution of policies of insurance, begs leave to report it has had the same under consideration and recommends the same do pass.

IRVING H. KNUDSON, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 230 as follows: By striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section five thousand one hundred thirty (5130), Code, 1931, is hereby amended by adding thereto the following:

'20. To regulate and fix fair and reasonable rates and charges for

electric light and power service supplies for residential and farm purposes outside the corporate limits of cities and towns, including charges for meters or other devices for measuring the quantity of electrical energy.’”

Amend the title by striking all of said title and substituting in lieu thereof the following:

“An act to amend section five thousand one hundred thirty (5130), Code, 1931, relating to the powers of county boards of supervisors, and empowering said boards to regulate and fix fair and reasonable rates and charges for electric light and power supplied for residential and farm purposes outside the corporate limits of cities and towns, including charges for meters or other devices for measuring the quantity of electrical energy.”

ROY E. STEVENS.

Amend Senate File 105 by striking the word “striking” in line 2 of section one (1) and insert in lieu thereof the word “suspending”; also strike the period at the end of line 4, and add the following: “until March 1, 1937.”

Amend the title of Senate File 105 by striking the word “amend” in line 1 and insert in lieu thereof the words “suspend certain provisions of.”

H. C. BALDWIN.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 5, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. John A. Alexander, pastor of the St. Paul A. M. E. Church at Des Moines.

The Journal of April 4, 1935, was corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Byers for the day, on request of Senator Donohue.

PETITIONS AND MEMORIALS

The following petitions favoring the tax on the so-called "chain stores" doing business in the state were received and filed, to be referred to the committee on cities and towns:

Senator Byers, from residents of Linn county; Senator Anderson, from residents of Webster county; Senator Berg, from residents of Black Hawk and Grundy counties.

The following petition opposing the tax on the so-called "chain stores" doing business in the state was received and filed, to be referred to the committee on cities and towns:

Senator Anderson, from residents of Webster county.

The following petitions opposing the port of entry bill, were received and filed, to be referred to the committee on motor vehicles:

Senator Meyer, from residents of Butler county; Senator Grunewald, from residents of Benton county.

The following petitions were received and filed, to be referred to the designated committees:

Senator Doze, from residents of Lucas county, favoring House File 173. Committee on state planning.

Senator Roelofs, from residents of Osceola county, opposing House File 401. Committee on public schools.

INTRODUCTION OF BILLS

Senate File 359, by committee on county and township affairs, a bill for an act to amend section seventy-two hundred forty-four (7244), Code of Iowa, 1931, relating to tax sales.

The bill was read first and second times and placed on the calendar.

BILLS INDEFINITELY POSTPONED

Senate File 154, a bill for an act to amend section five hundred twenty-three b-one (523-b1), Code, 1931, relating to the election of township trustees, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

Senate File 274, a bill for an act to repeal the law as it appears in sections forty hundred ninety-six (4096), forty hundred ninety-eight (4098) to forty-one hundred five (4105), inclusive, Code, 1931, and forty hundred ninety-seven (4097), Code, 1931, as amended by chapter fifty-one (51), section fifteen (15), acts of the Forty-fifth General Assembly, relating to the election of county superintendent, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

House File 42, a bill for an act to amend chapter seventy-six (76), Code, 1931, relating to child labor laws and to prevent the employment of juvenile labor in places operating under public license, with report of committee recommending indefinite postponement, was taken up and considered.

Senator Reese moved the committee report be adopted.

The motion was lost and House File 42 was ordered placed on the calendar.

THIRD READING OF BILLS

Senate File 144, a bill for an act to repeal subdivision nine (9) of section sixty-two hundred eleven (6211), Code, 1931, and to enact a substitute therefor, relating to the tax levy for fire department maintenance fund in cities and towns, including those operating under special charter, with report of committee recommending

passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stevens of Wapello offered the following amendment and moved its adoption:

Amend Senate File 144 by adding after the semicolon in line 7, section one (1), the words: "provided, however, that no levy in excess of two and one-half ($2\frac{1}{2}$) mills, shall be made without the approval of the state comptroller."

As a substitute, Senator Wilson offered the following amendment and moved its adoption:

Amend Senate File 144 by adding thereto the following:

"Provided, however, that during the years 1936 and 1937 no levy in excess of two and one-half ($2\frac{1}{2}$) mills shall be made without the approval of the state comptroller, upon application and upon showing made to the state comptroller of a strict necessity arising from the fact that the amount of money which can otherwise be made available for the fire maintenance is inadequate."

ACTION ON SENATE FILE 144 DEFERRED

By unanimous consent granted Senator Wilson, action on Senate File 144 was temporarily deferred.

THIRD READING OF BILLS

The proper time having arrived, Senate File 133, a bill for an act to repeal chapter fifty (50), acts of the Forty-fifth General Assembly, and to enact a substitute therefor, prohibiting the sale in Iowa of all prison made goods produced by convict labor, and provide a penalty for a violation thereof, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

The following committee amendment was adopted:

Amend Senate File 133 by inserting following the word "works" in line 11, section two (2), the following:

"And provided that no present owner and user of prison made farm equipment shall be denied the privilege of securing necessary repair parts needed during actual life of such equipment."

Senator Stanley offered the following amendment and moved its adoption:

Amend section two (2) of Senate File 133 by striking from line 5 the words and figures "after March 1, 1935", and inserting in lieu thereof the words "after this act takes effect."

By unanimous consent Senator Stanley withdrew the amendment.

Senator Stanley offered the following amendment and moved its adoption:

Amend Senate File 133 by striking from line 5 in section two (2) the words and figures "March 1, 1935", and inserting in lieu thereof "January 1, 1936."

The motion prevailed and the amendment was adopted.

Senator Shangle offered the following amendment and moved its adoption:

Amend Senate File 133 as follows: Amend section four (4), line 2, of Senate File 133, by inserting the word "knowingly" after the word "whoever."

The motion prevailed and the amendment was adopted.

Senator Wilson offered the following amendment and moved its adoption:

Amend Senate File 133, in section four (4), by inserting a period after the word "misdemeanor" in line 6 and striking the remainder of the section.

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 133 by striking section six (6) thereof.

The motion prevailed and the amendment was adopted.

Senator Mullaney offered the following amendment and moved its adoption:

Amend Senate File 133 by inserting in section two (2), line 1, following the word "merchandise" the following: ", except farm machinery, farm equipment, road machinery, and twine."

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

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 25:

Anderson Calhoun
Aschenbrenner Chrystal
Bell of Crawford Doze

Elthon
Geske
Goetsch

Grunewald
Hopkins
Hush

Husted
Knudson
Mason
McArthur

Meyer
Miller
Mullaney

Nelson
Parker
Patterson

Pendray
Roelofs
Shaw

Nays, 21:

Baldwin
Bell of
Des Moines
Berg
Billingsley
Corwin

Dewey
Driscoll
Fisch
Irwin
Kimberly
Malone

Millhone
Moore
Reese
Schmidt
Shangle
Stanley

Stevens of
Decatur
Stevens of
Wapello
Valentine
Wilson

Absent or not voting, 4:

Beardsley

Byers

Donohue

Harrington

The motion prevailed and the amendment was adopted.

ACTION ON SENATE FILE 133 DEFERRED

By unanimous consent granted Senator Valentine, action on Senate File 133 was temporarily deferred.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE FILE 20 RESUMED

By unanimous consent granted Senator Moore, the rules were suspended and the House amendments to Senate File 20, as printed on pages 780 and 781 of the Senate Journal, were again called up for consideration.

The chair ruled that the point of order previously raised by Senator Byers, and found on page 781 of the Senate Journal, was not well taken.

The discussion of the following pending Calhoun amendment to the House amendment was resumed:

Amend the House amendment to Senate File 20 by adding to amendment four (4) the following:

"Every holder of a license to practice any of the healing arts shall be permitted to practice in every institution supported in whole or in part by taxation and to enter into contracts with tax-spending bodies for furnishing professional services for the care of the indigent poor."

Roll call was requested.

The question was, Shall the amendment to the House amendments be adopted?

On the question, Shall the amendment to the House amendments be adopted? the vote was:

Ayes, 11:

Calhoun	Goetsch	Mullaney	Shangle
Dewey	Mason	Nelson	Stanley
Elthon	Miller	Pendray	

Nays, 30:

Anderson	Corwin	Husted	Moore
Aschenbrenner	Donohue	Irwin	Patterson
Beardsley	Driscoll	Kimberly	Roelofs
Bell of Crawford	Fisch	Knudson	Schmidt
Bell of	Geske	Malone	Shaw
Des Moines	Grunewald	McArthur	Stevens of
Berg	Hopkins	Meyer	Decatur
Chrystal	Hush	Millhone	Wilson

Absent or not voting, 9:

Baldwin	Doze	Parker	Stevens of
Billingsley	Harrington	Reese	Wapello
Byers			Valentine

The motion to amend was lost.

Discussion of the pending motion by Senator Moore, that the Senate concur in the following House amendments to Senate File 20, was again taken up.

Amend Senate File 20 as follows:

1. Section three (3), line 2, by striking the word and figure "five (5)" and inserting in lieu thereof "six (6)."

2. Section six (6), lines 16 and 17, by striking the words "be licensed to engage in the practice of the healing art" and substituting in lieu thereof "hold a degree in any of the healing arts."

3. Section sixteen (16), by striking all of the first sentence and inserting in lieu thereof the following:

"Said board shall meet at Des Moines and there conduct examinations in the basic sciences four (4) times each year respectively, on the second Tuesday in January, April, July and October;" also

Line 20, insert after the period following the word "subjects" the following:

"If an applicant fails to attain the required grade in one or more subjects, he may be re-examined in the subject or subjects in which he failed, at any examination within one year without further application or examination fee."

4. Insert immediately after section twenty (20) the following section:

"Sec. 21. Upon presentation to said board of examiners of a certificate from any college or university accredited by the North Central Association of Secondary Schools and Colleges that the person seeking a certificate of proficiency under the provisions of this act has completed a course of study in one or more of said basic sciences of the number of hours provided for in section sixteen (16) of this act and has attained a grade of seventy-five (75) per cent in said subject or subjects the said board of examiners shall waive examination in said subject or subjects, and if said applicant shall have completed a course of study in all of said

basic sciences of the number of hours provided for herein and has attained an average grade of seventy-five (75) per cent in each of said subjects the board of examiners shall upon receipt of a certificate to that effect setting forth the grades of the applicant in each of said subjects as hereinbefore provided issue to said applicant a certificate of proficiency in the basic sciences as provided for under the Iowa basic science law without further examination."

5. Renumber the remaining sections of the bill.

By unanimous consent granted Senator Moore, it was ordered that the Senate vote on the first three House amendments as a group and vote on the remaining House amendments separately.

Senator Moore moved that the Senate concur in the first three House amendments.

Roll call was requested.

The question was, Shall the Senate concur in the first three House amendments?

On the question, Shall the Senate concur in the first three House amendments? the vote was:

Ayes, 43:

Anderson	Doze	Knudson	Roelofs
Aschenbrenner	Driscoll	Malone	Schmidt
Baldwin	Elthon	McArthur	Shangle
Beardsley	Fisch	Meyer	Shaw
Bell of	Geske	Miller	Stanley
Des Moines	Goetsch	Millhone	Stevens of
Berg	Grunewald	Moore	Decatur
Billingsley	Hopkins	Mullaney	Stevens of
Calhoun	Hush	Parker	Wapello
Corwin	Husted	Patterson	Valentine
Dewey	Irwin	Reese	Wilson
Donohue	Kimberly		

Nays, none.

Absent or not voting, 7:

Bell of Crawford	Crystal	Mason	Pendray
Byers	Harrington	Nelson	

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

Senator Pendray offered the following amendment to the fourth House amendment and moved its adoption:

Amend section twenty-one (21), of Senate File 20, as amended, by striking therefrom the first three (3) lines thereof and by substituting for the lines so stricken the following:

"Sec. 21. Upon presentation to said board of examiners of a certificate from any duly recognized and accredited college of medicine, osteopathy, or chiropractic, and whose course of study in the basic sciences requires at least as many hours as that specified in section sixteen (16) of this act, or from a college or university accredited by the north central association of secondary schools and."

Roll call was requested.

The question was, Shall the amendment to the House amendment be adopted?

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

Ayes, 12:

Calhoun	Mason	Pendray	Stanley
Dewey	McArthur	Reese	Stevens of
Doze	Miller	Shangle	Wapello
Elthon			

Nays, 34:

Anderson	Corwin	Husted	Parker
Aschenbrenner	Donohue	Irwin	Patterson
Baldwin	Driscoll	Kimberly	Roelofs
Beardsley	Fisch	Knudson	Schmidt
Bell of Crawford	Geske	Malone	Shaw
Bell of	Goetsch	Meyer	Stevens of
Des Moines	Grunewald	Millhone	Decatur
Berg	Hopkins	Moore	Valentine
Billingsley	Hush	Mullaney	Wilson

Absent or not voting, 4:

Byers	Chrystal	Harrington	Nelson
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The motion to amend was lost.

Senator Moore moved that the Senate concur in the fourth House amendment.

The question was, Shall the Senate concur in the fourth House amendment?

On the question, Shall the Senate concur in the fourth House amendment? the vote was:

Ayes, 35:

Anderson	Driscoll	Meyer	Shangle
Beardsley	Fisch	Miller	Shaw
Bell of Crawford	Geske	Millhone	Stanley
Bell of	Grunewald	Moore	Stevens of
Des Moines	Hopkins	Mullaney	Decatur
Chrystal	Hush	Nelson	Stevens of
Corwin	Husted	Parker	Wapello
Dewey	Irwin	Patterson	Valentine
Donohue	Kimberly	Schmidt	Wilson
Doze	Knudson		

Nays, 9:

Berg	Elthon	Mason	Reese
Billingsley	Goetsch	Pendray	Roelofs
Calhoun			

Absent or not voting, 6:

Aschenbrenner	Byers	Malone	McArthur
Baldwin	Harrington		

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

Senator Moore moved that the Senate concur in the fifth House amendment.

The question was, Shall the Senate concur in the fifth House amendment?

On the question, Shall the Senate concur in the fifth House amendment? the vote was:

Ayes, 40:

Anderson	Donohue	Kimberly	Roelofs
Aschenbrenner	Doze	Knudson	Shangle
Baldwin	Driscoll	Malone	Shaw
Beardsley	Elthon	McArthur	Stanley
Bell of	Geske	Meyer	Stevens of
Des Moines	Goetsch	Miller	Decatur
Berg	Grunewald	Millhone	Stevens of
Billingsley	Hopkins	Moore	Wapello
Calhoun	Hush	Mullaney	Valentine
Corwin	Husted	Parker	Wilson
Dewey	Irwin	Patterson	

Nays, none.

Absent or not voting, 10:

Bell of Crawford	Fisch	Nelson	Reese
Byers	Harrington	Pendray	Schmidt
Chrystal	Mason		

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

Senator Moore moved that the bill as amended be given its final reading and placed on its passage.

The motion prevailed and the bill as amended was given its final reading.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 41:

Anderson	Dewey	Irwin	Patterson
Aschenbrenner	Donohue	Kimberly	Roelofs
Baldwin	Doze	Knudson	Schmidt
Beardsley	Driscoll	Malone	Shaw
Bell of Crawford	Fisch	McArthur	Stanley
Bell of Des Moines	Goetsch	Meyer	Stevens of Decatur
Berg	Grunewald	Moore	Stevens of Wapello
Billingsley	Hopkins	Mullaney	Valentine
Chrystal	Hush	Nelson	Wilson
Corwin	Husted	Parker	

Nays, 7:

Calhoun	Mason	Pendray	Shangle
Elthon	Miller	Reese	

Absent or not voting, 2:

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

Senator Moore moved that the vote by which Senate File 20, as amended, passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Concurrent Resolution 18 relating to taking any further action towards opening additional liquor stores by the Iowa liquor control commission.

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

House File 146, a bill for an act authorizing drainage, pumping plant and/or levee taxing districts to take advantage of the provisions of federal bankruptcy laws.

Also: That the House has concurred in Senate amendments and passed the following bill in which the concurrence of the House was asked:

House File 174, a bill for an act regulating practice of osteopathy and of osteopathy and surgery.

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

House File 254, a bill for an act legalizing the corporate acts and proceedings of the Bagley Water Works of Bagley, Iowa.

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

House File 266, a bill for an act to maintain the services of a county nurse in Sac county, Iowa.

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

House File 312, a bill for an act to provide for the refinancing, adjustment, composition and refunding in such adjusted amount, of the debts of drainage, levee and pumping plant districts.

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

House File 364, a bill for an act to make an appropriation for the emergency needs of distressed school districts.

VIRGIL LEKIN, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 18

A concurrent resolution directing the Iowa liquor control commission to cease negotiating or entering into leases, purchasing of equipment, or taking any further action towards opening additional liquor stores until the report of the committee investigating the state liquor commission has been accepted by this General Assembly and all pending bills before this legislature shall have been passed upon.

Whereas, The Forty-fifth General Assembly of the state of Iowa under the provisions of chapter twenty-four (24) of the acts of the Forty-fifth General Assembly created the Iowa liquor control commission and thereby authorized said commission to engage in the sale and distribution of intoxicating liquors as an agency and branch of the government of the state of Iowa, and

Whereas, The members of the House of Representatives and the members of the Senate of the Forty-sixth General Assembly of the state of Iowa by Senate Joint Resolution 1 has authorized the appointment of an investigating committee, which joint resolution provides as follows, to-wit:

"That the said investigating committee be and is hereby authorized, directed and empowered to investigate the operations of said Iowa liquor control act and the administration of said act by the Iowa liquor control commission and the transactions of any individuals, firms, corporations, or partnerships with the Iowa liquor control commission and the official acts of the individual members of said commission and any of the members thereof and all of the acts and things done by said commission, its members, and employees", and

Whereas, Said committee has been duly appointed by the Speaker of the House of Representatives and the President of the Senate and is now engaged in carrying on said investigation as provided by said joint resolution and in the course of said investigation certain testimony has been given before said committee tending to show unfair practices by said liquor commission or some members thereof and further tending to show the need of amending or repealing the Iowa liquor control act and of changing the method of opening and operating stores belonging to said commission, and

Whereas, Said committee has not yet completed its investigation and will be unable to complete said investigation for some time, and

Whereas, There are now pending before the Forty-sixth General Assembly of the state of Iowa certain bills to repeal or alter the administration of the Iowa liquor control commission, and

Whereas, The Iowa liquor control commission within the past few weeks opened new stores in different parts of the state and is now arranging and considering the opening of additional liquor stores under the provisions of the said act, and

Whereas, It is the judgment of the members of the Forty-sixth General Assembly of the state of Iowa that no new or additional liquor stores should be opened in the state of Iowa until said investigation is completed and the report of said investigating committee accepted and until all pending bills which might repeal or alter the administration of the Iowa liquor control act have been disposed of, now therefore,

Be It Resolved by the House of Representatives, the Senate concurring: That the Iowa liquor control commission be and they are hereby directed to cease all further negotiations or acts connected with the entering into leases, purchase of equipment, or the doing of any other thing with the intent and for the purpose of opening any new or additional liquor store in the state of Iowa or for the purpose of operating a liquor store at any place in the state of Iowa not in operation at the time of the adoption of this resolution until said future time as the said investigating committee has completed its work, made its report and said report has been accepted, and until such time as all bills pending before the Forty-sixth General Assembly of the state of Iowa which would repeal the Iowa liquor control act or change the administration of said act have been passed upon by the Forty-sixth General Assembly of the state of Iowa.

HOUSE AMENDMENTS CONSIDERED

By unanimous consent, the rules were suspended and Senator Roelofs called up for consideration Senate File 115, amended by the House, and moved that the Senate concur in the following amendments:

HOUSE AMENDMENTS TO SENATE FILE 115

1. Amend section one (1) by adding after the period in line 18 the following: "Not more than one (1) of such commissioners shall reside in the same congressional district."

2. Insert after section one (1) of the original bill the following section: "Sec. 2. No member, officer or employee of the commission shall, directly or indirectly, exert his influence to induce any other officers or employees of the state to adopt his political views, or to favor any particular candidate for office, nor shall such member, officer or employee contribute in any manner, directly or indirectly, any money or other things of value to any person, organization or committee for political campaign or election purposes. Any person violating this section shall be guilty of a misdemeanor, and shall be punished by a fine of not more than one

hundred (100) dollars or by imprisonment in the county jail for not more than thirty (30) days, and shall be removed from his office or position."

3. Amend section three (3) of the original bill by striking the word "no" in the second line thereof; also, by striking the word "but" in the third line and inserting in lieu thereof the following:

"at the rate of seven (7) dollars and fifty (50) cents per day but not to exceed one thousand (1000) dollars each in any one year and."

4. Amend section seven (7), line 3, by striking the words "fixed by the commission" and inserting in lieu thereof the following: "not to exceed thirty-five hundred (3500) dollars per year"; also line 9, by striking the word "and" following the word "commission"; also line 25, by striking the word "necessary" and inserting in lieu thereof the word "incidental."

5. Amend section eight (8) by striking from line 19 the second word "necessary" and inserting in lieu thereof the word "incidental"; also amend said section by adding thereto the following:

"The salaries of the state conservation officers shall not exceed fifteen hundred (1500) dollars per year."

6. Amend section nine (9) by striking from line 2 the word "biology" and inserting in lieu thereof the words "fish and game."

7. Amend section twelve (12) by striking from line 8 the word "biology" and inserting in lieu thereof "fish and game."

8. Amend section fourteen (14) by striking the period at the end of line 12 and adding the following:

"provided, however, that the commission shall make no rule protecting foxes or rabbits, except on state owned land or on a game management area."

9. Insert after section sixteen (16) of the original bill the following section:

"Sec. 17. Nothing in this act shall be construed to give to any employee of the state conservation commission both mileage and expenses for the same trip other than incidental expenses."

10. Beginning with section two (2) of the original bill renumber the sections.

The question was, Shall the Senate concur?

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

Ayes, none.

Nays, 43:

Anderson	Dewey	Irwin	Parker
Aschenbrenner	Donohue	Kimberly	Pendray
Baldwin	Doze	Knudson	Reese
Beardsley	Driscoll	Malone	Roelofs
Bell of Crawford	Elthon	Mason	Schmidt
Bell of	Fisch	McArthur	Shangle
Des Moines	Geske	Meyer	Shaw
Berg	Goetsch	Millhone	Stevens of
Billingsley	Grunewald	Moore	Wapello
Calhoun	Hopkins	Mullaney	Valentine
Chrystal	Husted	Nelson	Wilson
Corwin			

Absent or not voting, 7:

Byers	Hush	Patterson	Stevens of
Harrington	Miller	Stanley	Decatur

The House amendments not having received a constitutional majority the Senate was declared to have refused to concur in the House amendments.

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

AFTERNOON SESSION

Having recessed until 1:30 p. m., the Senate reconvened, President N. G. Kraschel presiding.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun 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 203, 289, 125, Senate Joint Resolution 7 and House File 4.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 203, 289, 125, Senate Joint Resolution 7, and House File 4.

BILLS SENT TO THE GOVERNOR

Senator Calhoun from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 5th day of April, 1935, sent to the Governor for his approval Senate Files 125, 203, 289 and Senate Joint Resolution 7.

JOHN N. CALHOUN, *Chairman.*

Passed on file.

THIRD READING OF BILLS

By unanimous consent granted Senator McArthur, the rules were suspended and Senate File 197, a bill for an act to repeal sections ninety-seven hundred fifty-three (9753), ninety-seven

hundred fifty-four (9754), ninety-seven hundred fifty-seven (9757), ninety-seven hundred sixty (9760), ninety-seven hundred sixty-three (9763), ninety-seven hundred sixty-four (9764), ninety-seven hundred sixty-seven (9767), ninety-seven hundred sixty-nine (9769), ninety-seven hundred seventy-one (9771), ninety-seven hundred seventy-four (9774) to ninety-seven hundred eighty-three (9783), inclusive, ninety-seven hundred eighty-five (9785) to ninety-seven hundred eighty-nine (9789), inclusive, and ninety-seven hundred ninety-eight (9798), Code, 1931, as amended and section four (4), chapter one hundred twenty-six (126) and section four (4), chapter one hundred twenty-seven (127), and chapter one hundred twenty-eight (128), acts of the Forty-fifth General Assembly, Extra Session, relating to unbonded agricultural warehouses and to enact a substitute therefor to limit the appointment of warehouse boards one to a county; to require members of warehouse boards to be residents of the county in which they are to serve; to provide for the election of a secretary-treasurer, president and vice president for each warehouse board; to require each secretary-treasurer and sealer to furnish bonds for at least one thousand (1,000) dollars to provide for the issuance of certificate of re-inspection and collection of fees therefor; to provide for subsequent inspection of grain under storage; to require the secretary of agriculture to include in the certificate form a statement that no other certificate is outstanding on the grain represented thereby; to prohibit the issuance of more than one certificate on a granary, crib, or bin; to provide for continuing the negotiability of certificates issued to tenant owners after their leases expire; to require owners to file or cause to be filed with the county recorder a duplicate of any and/or all certificates before or at the time such certificates are negotiated; to require county recorders to stamp original certificates and retain duplicates thereof; to provide for release of certificate through the secretary of local warehouse board or the secretary of agriculture and to provide for pro-rating surplus funds in the treasury of the local warehouse board, was taken up and considered.

The bill was read for information.

HOUSE FILE 242 SUBSTITUTED FOR SENATE FILE 197

By unanimous consent granted Senator McArthur, it was ordered that the rules be suspended, House File 242, as amended by the

House, be withdrawn from the committee on agriculture and substituted for Senate File 197.

THIRD READING OF BILLS

House File 242, a bill for an act to repeal sections ninety-seven hundred fifty-three (9753), ninety-seven hundred fifty-four (9754), ninety-seven hundred fifty-seven (9757), ninety-seven hundred sixty (9760), ninety-seven hundred sixty-three (9763), ninety-seven hundred sixty-four (9764), ninety-seven hundred sixty-seven (9767), ninety-seven hundred sixty-nine (9769), ninety-seven hundred seventy-one (9771), ninety-seven hundred seventy-four (9774) to ninety-seven hundred eighty-three (9783), inclusive, ninety-seven hundred eighty-five (9785) to ninety-seven hundred eighty-nine (9789), inclusive, and ninety-seven hundred ninety-eight (9798), Code, 1931, as amended and section four (4), chapter one hundred twenty-six (126) and section four (4), chapter one hundred twenty-seven (127), and chapter one hundred twenty-eight (128), acts of the Forty-fifth General Assembly, Extraordinary Session, relating to unbonded agricultural warehouses and to enact a substitute therefor to limit the appointment of warehouse boards one to a county; to require members of warehouse boards to be residents of the county in which they are to serve; to provide for the election of a secretary-treasurer, president and vice president for each warehouse board; to require each secretary-treasurer and sealer to furnish bonds for at least one thousand (1,000) dollars; to provide for the issuance of certificate of re-inspection and collection of fees therefor; to provide for subsequent inspection of grain under storage; to require the secretary of agriculture to include in the certificate form a statement that no other certificate is outstanding on the grain represented thereby; to prohibit the issuance of more than one certificate on a granary, crib, or bin; to provide for continuing the negotiability of certificates issued to tenant owners after their leases expire; to require owners to file or cause to be filed with the county recorder a duplicate of any and/or all certificates before or at the time such certificates are negotiated; to require county recorders to stamp original certificates and retain duplicates thereof; to provide for release of certificate through the secretary of local warehouse board or the secretary of agriculture and to provide for pro-rating surplus funds in the treasury of the local warehouse board, was taken up and considered.

The bill was read for information.

Senator McArthur moved that the reading just had be considered

the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 41:

Anderson	Fisch	McArthur	Schmidt
Beardsley	Goetsch	Meyer	Shangle
Berg	Grunewald	Miller	Shaw
Billingsley	Harrington	Moore	Stanley
Chrystal	Hopkins	Mullaney	Stevens of
Corwin	Hush	Nelson	Decatur
Dewey	Husted	Parker	Stevens of
Donohue	Irwin	Patterson	Wapello
Doze	Knudson	Pendray	Valentine
Driscoll	Malone	Reese	Wilson
Elthon	Mason	Roelofs	

Nays, none.

Absent or not voting, 9:

Aschenbrenner	Bell of	Calhoun	Kimberly
Baldwin	Des Moines	Geske	Millhone
Bell of Crawford	Byers		

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

Senator McArthur moved that the vote by which House File 242 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent granted Senator Valentine, the rules were suspended and House File 111, a bill for an act to amend paragraph eight (8) of section eighty-eight hundred twenty-nine (8829), Code, 1931, relating to the investment of the funds of fraternal beneficiary societies, orders, or associations, with report of committee recommending passage, was taken up and considered, and the report of the committee adopted.

The bill was read for information.

Senator Knudson moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 36:

Anderson	Driscoll	Malone	Roelofs
Baldwin	Elthon	McArthur	Schmidt
Bell of Des Moines	Fisch	Meyer	Shangle
Billingsley	Goetsch	Miller	Shaw
Calhoun	Grunewald	Mullaney	Stanley
Corwin	Hopkins	Nelson	Stevens of Wapello
Dewey	Hush	Parker	Valentine
Donohue	Husted	Patterson	Wilson
Doze	Irwin	Pendray	
	Knudson		

Nays, none.

Absent or not voting, 14:

Aschenbrenner	Byers	Kimberly	Reese
Beardsley	Chrystal	Mason	Stevens of Decatur
Bell of Crawford	Geske	Millhone	
Berg	Harrington	Moore	

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

By unanimous consent granted Senator Valentine, the rules were suspended and House File 112, a bill for an act to authorize and direct the printing of the skeleton card digest of the current opinions of the supreme court, now being maintained in the office of the code editor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 34:

Anderson	Elthon	Malone	Roelofs
Baldwin	Fisch	Mason	Schmidt
Bell of Des Moines	Goetsch	McArthur	Shangle
Calhoun	Grunewald	Meyer	Shaw
Corwin	Hopkins	Miller	Stanley
Dewey	Hush	Mullaney	Stevens of Wapello
Donohue	Husted	Nelson	Valentine
Driscoll	Irwin	Parker	Wilson
	Knudson	Patterson	

Nays, none.

Absent or not voting, 16:

Aschenbrenner	Byers	Harrington	Pendray
Beardsley	Chrystal	Kimberly	Reese
Bell of Crawford	Doze	Millhone	Stevens of
Berg	Geske	Moore	Decatur
Billingsley			

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

By unanimous consent granted Senator Valentine, the rules were suspended and House File 135, a bill for an act to require the filing of the shorthand reporter's translation of his report of a trial and to constitute such filed translation a public record for the use of all parties to an appeal, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 32:

Anderson	Elthon	McArthur	Schmidt
Baldwin	Goetsch	Meyer	Shangle
Bell of	Hopkins	Miller	Shaw
Des Moines	Hush	Millhone	Stanley
Calhoun	Husted	Mullaney	Stevens of
Corwin	Irwin	Parker	Wapello
Dewey	Knudson	Patterson	Valentine
Donohue	Malone	Roelofs	Wilson
Doze	Mason		

Nays, none.

Absent or not voting, 18:

Aschenbrenner	Byers	Grunewald	Pendray
Beardsley	Chrystal	Harrington	Reese
Bell of Crawford	Driscoll	Kimberly	Stevens of
Berg	Fisch	Moore	Decatur
Billingsley	Geske	Nelson	

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

By unanimous consent granted Senator Valentine, the rules were suspended and House File 137, a bill for an act to amend

section seventy-one hundred forty-eight (7148), Code, 1931, relative to the certification to the state board of assessment and review of the taxable value of real and personal property, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 36:

Anderson	Doze	Irwin	Parker
Baldwin	Driscoll	Knudson	Patterson
Beardsley	Elthon	Malone	Schmidt
Bell of	Fisch	Mason	Shangle
Des Moines	Goetsch	McArthur	Shaw
Berg	Grunewald	Meyer	Stanley
Calhoun	Hopkins	Millhone	Stevens of
Corwin	Hush	Mullaney	Wapello
Dewey	Husted	Nelson	Valentine
Donohue			Wilson

Nays, none.

Absent or not voting, 14:

Aschenbrenner	Byers	Kimberly	Reese
Bell of Crawford	Chrystal	Miller	Roelofs
Billingsley	Geske	Moore	Stevens of
	Harrington	Pendray	Decatur

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

By unanimous consent granted Senator Valentine, the rules were suspended and House File 138, a bill for an act to coordinate certain sections of the Code with the budget and financial control act (now appearing as chapter four (4), acts of the Forty-fifth General Assembly) and to render all said statutes harmonious, and to this end to amend section twenty-eight hundred ninety-one (2891), relating to the financial affairs of the state fair board, section thirty-nine hundred seventy-nine (3979), relating to state claims for medical treatment in the state psychopathic hospital, sections forty-four hundred eighty-one (4481) and forty-four hundred eighty-two (4482), relating to

apportionment of the interest on the permanent school fund, sections fifty-two hundred ninety (5290), fifty-two hundred ninety-one (5291), and seventy-one hundred eighty-one (7181), relating to the registration of unpaid municipal bonds, and sections seventy-four hundred (7400) and seventy-four hundred one (7401), relating to interest on unpaid county and state warrants and to the discounting of such warrants by certain public officers, all said sections being of the Code, 1931, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 36:

Anderson	Doze	Mason	Roelofs
Baldwin	Elthon	McArthur	Schmidt
Beardsley	Fisch	Meyer	Shangle
Bell of	Goetsch	Miller	Shaw
Des Moines	Grunewald	Millhorne	Stevens of
Berg	Hopkins	Mullaney	Decatur
Calhoun	Husted	Nelson	Stevens of
Corwin	Irwin	Parker	Wapello
Dewey	Knudson	Patterson	Valentine
Donohue	Malone	Pendray	

Nays, none.

Absent or not voting, 14:

Aschenbrenner	Chrystal	Harrington	Moore
Bell of Crawford	Driscoll	Hush	Reese
Billingsley	Geske	Kimberly	Stanley
Byers			Wilson

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

By unanimous consent granted Senator Valentine, the rules were suspended and House File 190, a bill for an act to define the term "search warrant", to declare the conditions under which search warrants may issue, to amend, revise, and codify various statutes pertaining to search warrants in order to provide a uniform procedure governing search warrant proceedings, and to this end to repeal chapter six hundred seventeen (617) of the Code,

and to enact a substitute therefor; also to amend sections two thousand ten (2010), thirty-one hundred fifty-nine (3159), and thirteen thousand two hundred three (13203) of said Code, also to repeal the following chapter and sections of said Code, as amended, to wit:

1. Sections fifteen hundred seventy-eight (1578) to fifteen hundred eighty-one (1581), inclusive.
2. Section thirty-one hundred sixty (3160).
3. Chapter ninety-six (96).
4. Sections thirteen thousand two hundred (13200), thirteen thousand two hundred one (13201), and sections thirteen thousand two hundred four (13204) to thirteen thousand two hundred nine (13209), inclusive.
5. Sections thirteen thousand two hundred eleven (13211) to thirteen thousand two hundred fifteen (13215), inclusive, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 37:

Anderson	Doze	Malone	Roelofs
Baldwin	Driscoll	Mason	Schmidt
Beardsley	Elthon	McArthur	Shangle
Bell of	Fisch	Meyer	Shaw
Des Moines	Goetsch	Miller	Stanley
Berg	Grunewald	Millhone	Stevens of
Calhoun	Hopkins	Mullaney	Decatur
Corwin	Husted	Nelson	Stevens of
Dewey	Irwin	Parker	Wapello
Donohue	Knudson	Patterson	Valentine

Nays, 1:

Wilson

Absent or not voting, 12:

Aschenbrenner	Byers	Harrington	Moore
Bell of Crawford	Chrystal	Hush	Pendray
Billingsley	Geske	Kimberly	Reese

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

By unanimous consent granted Senator Valentine, the rules were suspended and House File 232, a bill for an act to repeal sections ninety-one hundred eighty-nine (9189), ninety-two hundred fourteen (9214), ninety-two hundred fifteen (9215), ninety-two hundred seventeen (9217), ninety-three hundred one (9301), and ninety-three hundred two (9302), of the Code, 1931, relating to state banks, savings banks, and loan and trust companies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 32:

Baldwin	Doze	Knudson	Nelson
Bell of	Driscoll	Malone	Parker
Des Moines	Elthon	Mason	Patterson
Berg	Fisch	McArthur	Schmidt
Calhoun	Goetsch	Meyer	Shangle
Corwin	Grunewald	Miller	Shaw
Dewey	Hopkins	Millhone	Stanley
Donohue	Husted	Mullaney	Valentine
	Irwin		

Nays, none.

Absent or not voting, 18:

Anderson	Byers	Kimberly	Stevens of
Aschenbrenner	Chrystal	Moore	Decatur
Beardsley	Geske	Pendray	Stevens of
Bell of Crawford	Harrington	Reese	Wapello
Billingsley	Hush	Roeloffs	Wilson

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

By unanimous consent granted Senator Wilson, the rules were suspended and House File 64, a bill for an act to amend the law as it appears in section sixty-six hundred ten-c forty-six (6610-c46), Code, 1931, relating to street improvements, special assessments and payments by the county treasurer to the city treasurer, authoriz-

ing and directing the county treasurer of any county to pay to certain cities and towns all moneys in his hands, collected upon special assessments for which street improvement or sewer certificates were issued by said city or town, and which money has been in the treasurer's hands for four (4) years or more, uncalled for by the owner, and providing that said cities and towns shall hold said money for the owner and pay the same to the owner of any certificate upon demand, but in the event said money is not demanded for a period of ten (10) years from the date the installments become due and payable, the said moneys so uncalled for shall become the property of said city or town; and to repeal all laws or parts of laws in conflict with this act, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 37:

Anderson	Donohue	Irwin	Patterson
Baldwin	Doze	Knudson	Roelofs
Beardsley	Driscoll	Mason	Schmidt
Bell of	Elthon	McArthur	Shangle
Des Moines	Fisch	Meyer	Shaw
Berg	Goetsch	Miller	Stanley
Billingsley	Grunewald	Millhone	Stevens of
Calhoun	Hopkins	Mullaney	Wapello
Corwin	Hush	Parker	Valentine
Dewey	Husted		Wilson

Nays, none.

Absent or not voting, 13:

Aschenbrenner	Geske	Moore	Reese
Bell of Crawford	Harrington	Nelson	Stevens of
Byers	Kimberly	Pendray	Decatur
Chrystal	Malone		

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

By unanimous consent granted Senator Donohue, the rules were suspended and Senate File 201, a bill for an act to legal-

ize the compensation paid to county attorneys in counties having a population less than sixty thousand (60,000) under the provisions of chapter eighty-nine (89), acts of the Forty-fifth General Assembly, was taken up and considered.

The bill was read for information.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 201 by inserting after the word "attorneys" in line 1, section one (1), the following: "and assistant county attorneys."

Further amend Senate File 201 by inserting after the words "county attorney" in line 4, the following: "and assistant county attorney."

The motion prevailed and the amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend the title to Senate File 201 by inserting after the words "county attorneys" in line 1, the following: "and assistant county attorneys."

The motion prevailed and the amendment was adopted.

Senator Donohue moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 36:

Anderson	Driscoll	Knudson	Reese
Baldwin	Elthon	McArthur	Roelofs
Berg	Fisch	Meyer	Shangle
Billingsley	Goetsch	Miller	Shaw
Calhoun	Grunewald	Millhone	Stanley
Chrystal	Hopkins	Mullaney	Stevens of
Corwin	Hush	Nelson	Wapello
Dewey	Husted	Parker	Valentine
Donohue	Irwin	Patterson	Wilson
Doze			

Nays, none.

Absent or not voting, 14:

Aschenbrenner	Kimberly	Pendray
Beardsley	Malone	Schmidt
Bell of Crawford	Mason	Stevens of
Bell of	Moore	Decatur
Des Moines		

The bill as amended having received a constitutional majority

was declared to have passed the Senate and the title as amended was agreed to.

By unanimous consent granted Senator Donohue, the rules were suspended and Senate File 174, a bill for an act to amend section eleven thousand seven hundred eighty-four (11784), Code, 1931, relating to redemption from execution sale by the title holder and to provide for the making of such redemption by the surrender of the sheriff's certificate, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Donohue moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 35:

Anderson	Driscoll	Malone	Reese
Baldwin	Elthon	Mason	Roelofs
Beardsley	Fisch	McArthur	Shangle
Bell of	Goetsch	Meyer	Shaw
Des Moines	Grunewald	Miller	Stanley
Berg	Hopkins	Millhone	Stevens of
Calhoun	Hush	Mullaney	Wapello
Dewey	Husted	Nelson	Valentine
Donohue	Knudson	Patterson	Wilson
Doze			

Nays, none.

Absent or not voting, 15:

Aschenbrenner	Chrystal	Irwin	Pendray
Bell of Crawford	Corwin	Kimberly	Schmidt
Billingsley	Geske	Moore	Stevens of
Byers	Harrington	Parker	Decatur

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

HOUSE AMENDMENTS CONSIDERED

By unanimous consent the rules were suspended and Senator Baldwin called up for consideration Senate File 35, amended by the House, and moved that the Senate concur in the following amendments:

HOUSE AMENDMENTS TO SENATE FILE 35

Strike all after the enacting clause and substitute in lieu thereof the following:

"The Governor of this state is hereby authorized and requested to issue annually a proclamation, calling upon our state officials to display the American Flag on all state and school buildings and the people of the state to display the flag at their homes, lodges, churches, and places of business on the 12th day of October, known as Columbus day; to commemorate the life and history of Christopher Columbus and to urge that services and exercises be had in churches, halls and other suitable places expressive of the public sentiment befitting the anniversary of the discovery of America."

Amend the title by striking all after the word "act" in line 1 and substituting the following: "to authorize the Governor to issue annually a proclamation to commemorate the life and history of Christopher Columbus."

The question was, Shall the Senate concur?

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

Ayes, 38:

Anderson	Doze	Knudson	Patterson
Baldwin	Driscoll	Malone	Reese
Bell of	Elthon	Mason	Roelofs
Des Moines	Fisch	McArthur	Shangle
Berg	Goetsch	Meyer	Shaw
Billingsley	Grunewald	Miller	Stanley
Calhoun	Hopkins	Millhone	Stevens of
Corwin	Hush	Mullaney	Wapello
Dewey	Husted	Nelson	Valentine
Donohue	Irwin	Parker	Wilson

Nays, none.

Absent or not voting, 12:

Aschenbrenner	Chrystal	Kimberly	Schmidt
Beardsley	Geske	Moore	Stevens of
Bell of Crawford	Harrington	Pendray	Decatur
Byers			

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

Senator Baldwin moved that the bill as amended be given its final reading and placed on its passage.

The motion prevailed and the bill as amended was given its final reading.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 37:

Anderson	Doze	Knudson	Reese
Baldwin	Driscoll	Malone	Roelofs
Bell of	Elthon	Mason	Shangle
Des Moines	Fisch	McArthur	Shaw
Berg	Goetsch	Meyer	Stanley
Billingsley	Grunewald	Miller	Stevens of
Calhoun	Hopkins	Millhone	Wapello
Corwin	Hush	Mullaney	Valentine
Dewey	Husted	Parker	Wilson
Donohue	Irwin	Patterson	

Nays, none.

Absent or not voting, 13:

Aschenbrenner	Chrystal	Moore	Schmidt
Beardsley	Geske	Nelson	Stevens of
Bell of Crawford	Harrington	Pendray	Decatur
Byers	Kimberly		

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

THIRD READING OF BILLS

By unanimous consent granted Senator Stanley, the rules were suspended and Senate File 120, a bill for an act to amend section fifty-six hundred seventeen (5617), Code, 1931, relating to the severance of territory from an incorporated city or town, and providing the procedure therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stanley moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 39:

Anderson	Calhoun	Fisch	Knudson
Baldwin	Corwin	Goetsch	Malone
Beardsley	Dewey	Grunewald	Mason
Bell of	Donohue	Hopkins	McArthur
Des Moines	Doze	Hush	Meyer
Berg	Driscoll	Husted	Miller
Billingsley	Elthon	Irwin	Millhone

Mullaney	Reese	Shaw	Valentine
Nelson	Roelofs	Stanley	Wilson
Parker	Shangle	Stevens of	
Patterson		Wapello	

Nays, none.

Absent or not voting, 11:

Aschenbrenner	Chrystal	Kimberly	Schmidt
Bell of Crawford	Geske	Moore	Stevens of
Byers	Harrington	Pendray	Decatur

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

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 188, a bill for an act relating to appeals from decisions of the state board of assessment and review.

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

House File 189, a bill for an act relating to corrections or changes in assessments by state board of assessment and review.

VIRGIL LEKIN, *Chief Clerk.*

THIRD READING OF BILLS

By unanimous consent granted Senator Knudson, the rules were suspended and Senate File 91, a bill for an act to repeal sections fifty-four hundred eighty-three (5483), fifty-four hundred eighty-six (5486), fifty-four hundred eighty-eight (5488), fifty-four hundred eighty-nine (5489), fifty-four hundred ninety (5490); to amend sections fifty-one hundred thirty-three (5133), sixty-two hundred eighty-eight (6288), seventy hundred forty-five (7045), seventy hundred sixty-four (7064); and to repeal sections fifty-four hundred eighty-two (5482), fifty-four hundred eighty-four (5484), fifty-four hundred eighty-five (5485), fifty-four hundred eighty-seven (5487), fifty-four hundred ninety-six (5496), sixty-three hundred two (6302), ten thousand two hundred twenty-five (10225), and to enact substitutes for said repealed sections; all of said sections relating to land surveys and to perpetuating the records thereof, and all of said sections being of the Code, 1931, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stanley moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 36:

Anderson	Dewey	Husted	Parker
Baldwin	Donohue	Irwin	Patterson
Beardsley	Doze	Knudson	Reese
Bell of	Driscoll	Mason	Shangle
Des Moines	Elthon	McArthur	Shaw
Berg	Fisch	Meyer	Stanley
Billingsley	Goestch	Miller	Stevens of
Calhoun	Grunewald	Millhone	Wapello
Chrystal	Hopkins	Mullaney	Wilson
Corwin	Hush		

Nays, none.

Absent or not voting, 14:

Aschenbrenner	Harrington	Nelson	Stevens of
Bell of Crawford	Kimberly	Pendray	Decatur
Byers	Malone	Roelofs	Valentine
Geske	Moore	Schmidt	

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

By unanimous consent granted Senator Corwin, the rules were suspended and Senate File 81, a bill for an act authorizing municipalities, political subdivisions and taxing districts, including drainage, pumping plant and/or levee districts, to proceed under the provisions of federal bankruptcy laws enacted for the relief of such municipalities, political subdivisions and taxing districts, with report of committee recommending amendment and passage, was taken up for consideration.

The bill was read for information.

HOUSE FILE 146 SUBSTITUTED FOR SENATE FILE 81

By unanimous consent granted Senator Corwin, it was ordered that the rules be suspended and that House File 146 be substituted for Senate File 81.

House File 146, a bill for an act authorizing drainage districts with pumping plant and/or levee, having the power to incur in-

debtedness, to proceed under and take advantage of the provisions of federal bankruptcy laws enacted for the relief of such taxing districts, was taken up and considered.

The bill was read for information.

Senator Corwin moved that the reading just had be considered the third reading, and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 33:

Anderson	Driscoll	Malone	Patterson
Baldwin	Elthon	Mason	Shangle
Bell of Des Moines	Fisch	McArthur	Shaw
Berg	Goetsch	Meyer	Stanley
Corwin	Grunewald	Miller	Stevens of Wapello
Dewey	Hopkins	Millhone	Valentine
Donohue	Hush	Mullaney	Wilson
Doze	Husted	Nelson	
	Knudson	Parker	

Nays, none.

Absent or not voting, 17:

Aschenbrenner	Calhoun	Kimberly	Roelofs
Beardsley	Chrystal	Moore	Schmidt
Bell of Crawford	Geske	Pendray	Stevens of Decatur
Billingley	Harrington	Reese	
Byers	Irwin		

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

By unanimous consent granted Senator Corwin, the rules were suspended and Senate File 301, a bill for an act to amend chapter three hundred fifty-eight-b one (358-b1), Code, 1931; to provide for the refinancing, adjustment, composition and refunding in such adjusted amount, of the debts of drainage, levee and pumping plant districts in distress; to authorize the governing boards of such districts to borrow money from the Reconstruction Finance Corporation or other loan agency, and to issue bonds therefor, and to cancel old assessments and replace them with new assessments for the payment of said bonds; to provide a procedure therefor and a manner of hearing, notice and appeal therefrom; and to provide for an amendment to section seven thousand seven hundred fourteen-b ten (7714-b10), as amended by chapter one hundred one (101), section two (2), acts of the Forty-fifth

General Assembly, Extraordinary Session, and seven thousand seven hundred fourteen-b nine (7714-b9), Code, 1931, and to provide for the issuance of bonds for a period of not to exceed forty years, was taken up for consideration.

The bill was read for information.

HOUSE FILE 312 SUBSTITUTED FOR SENATE FILE 301

By unanimous consent granted Senator Corwin, it was ordered that the rules be suspended and House File 312, as just messaged from the House, be substituted for Senate File 301.

House File 312, a bill for an act to amend chapter three hundred fifty-eight-b one, (358-b1), Code, 1931; to provide for the refinancing, adjustment, composition and refunding in such adjusted amount, of the debts of drainage, levee and pumping plant districts in distress; to authorize the governing boards, or boards of supervisors, of such districts to borrow money from the Reconstruction Finance Corporation or other loan agency, and to issue bonds therefor, and to cancel old assessments and replace them with new assessments for the payment of said bonds; to provide a procedure therefor and a manner of hearing, notice and appeal therefrom; and to provide for an amendment to section seven thousand seven hundred fourteen-b ten (7714-b10), as amended by chapter one hundred one (101), section two (2), acts of the Forty-fifth General Assembly, Extraordinary Session, and seven thousand seven hundred fourteen-b nine (7714-b9), Code, 1931, and to provide for the issuance of bonds for a period of not to exceed forty (40) years, was taken up and considered.

The bill was read for information.

Senator Corwin moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 35:

Anderson	Berg	Dewey	Fisch
Baldwin	Billingsley	Donohue	Goetsch
Bell of	Chrystal	Doze	Grunewald
Des Moines	Corwin	Elthon	Harrington

Hopkins
Hush
Husted
Knudson
Malone
Mason

McArthur
Meyer
Miller
Millhone
Mullaney
Nelson

Parker
Patterson
Roelofs
Shangle
Shaw

Stanley
Stevens of
Decatur
Stevens of
Wapello

Nays, none.

Absent or not voting, 15:

Aschenbrenner
Beardsley
Bell of Crawford
Byers

Calhoun
Driscoll
Geske
Irwin

Kimberly
Moore
Pendray
Reese

Schmidt
Valentine
Wilson

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

Senator Fisch moved that the Senate adjourn until 9:30 a. m., Saturday.

The chair called for a division of the vote, and announced the motion to adjourn was lost.

THIRD READING OF BILLS

By unanimous consent granted Senator Doze, the rules were suspended and Senate File 294, a bill for an act to amend chapter sixty-eight (68), Code, 1931, relating to the filing or sealing of openings of abandoned coal mines subject to the approval of the mine inspector; relating to the breaking of any seal on any finished or abandoned mine; relating to the moving of any machinery or equipment away from such abandoned mine before the requirements of this act have been complied with; and relating to the penalty for the violation of the provisions of this act, was taken up and considered.

The bill was read for information.

ACTION ON SENATE FILE 294 DEFERRED

By unanimous consent granted Senator Doze, action on Senate File 294 was deferred.

THIRD READING OF BILLS

By unanimous consent granted Senator Baldwin, the rules were suspended and Senate File 210, a bill for an act to extend the term of office of L. J. Sigwarth, member of the board of supervisors of Dubuque county, Iowa, one year so that said term will expire on the second secular day of January, 1939, with report of committee

recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Baldwin moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 37:

Anderson	Donohue	Mason	Pendray
Aschenbrenner	Doze	McArthur	Reese
Baldwin	Elthon	Meyer	Roelofs
Beardsley	Goetsch	Millhone	Shaw
Berg	Grunewald	Moore	Stanley
Billingsley	Harrington	Mullaney	Stevens of
Byers	Hopkins	Nelson	Wapello
Chrystal	Hush	Parker	Valentine
Corwin	Irwin	Patterson	Wilson
Dewey	Knudson		

Nays, none.

Absent or not voting, 13:

Bell of Crawford	Driscoll	Kimberly	Shangle
Bell of	Fisch	Malone	Stevens of
Des Moines	Geske	Miller	Decatur
Calhoun	Husted	Schmidt	

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

Senator Chrystal was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 360, by committee on conservation, a bill for an act authorizing the state conservation commission to acquire or lease property for development as state forests and conservation areas and providing for the disposition of income from such lands.

The bill was read first and second times and placed on the calendar.

HOUSE MESSAGES CONSIDERED

House File 188, a bill for an act to amend section sixty-nine hundred forty-three-c twenty-seven (6943-c27), subsection nine a

(9a), Code, 1931, relating to appeals from decisions of the state board of assessment and review.

The bill was read first and second times and referred to committee on judiciary No. 1.

House File 189, a bill for an act to amend section sixty-nine hundred forty-three-c twenty-seven (6943-c27), subsection nine a (9a), Code, 1931, relating to corrections or changes in assessments by state board of assessment and review, limiting the time for reduction and providing for notice and hearing thereon.

The bill was read first and second times and referred to committee on judiciary No. 1.

House File 254, a bill for an act to legalize the corporate acts and proceedings of the Bagley Water Works Company of Bagley, Iowa, and to provide for the renewal and extension of the period of corporate existence and the adoption of renewal articles of incorporation by said Bagley Water Works Company.

The bill was read first and second times and referred to committee on judiciary No. 1.

House File 266, a bill for an act to legalize the action of the board of supervisors in the levying of taxes for maintaining the services of a county nurse in Sac county, Iowa.

The bill was read first and second times and referred to committee on county and township affairs.

House File 364, a bill for an act to make an appropriation for the emergency needs of distressed school districts and to provide for the manner of expenditure of said funds.

The bill was read first and second times and referred to committee on appropriations.

SENATE FILE 47 WITHDRAWN

By unanimous consent granted Senator Harrington, it was ordered that Senate File 47 be withdrawn from further consideration by the Senate.

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which the Mullaney amendment to Senate File 133 was adopted.

J. E. DOZE.

AMENDMENTS FILED

Amend Senate File 320 by striking the title thereof and inserting in lieu thereof:

"An act to amend section thirty-four (34) of chapter twenty-five (25) of the acts of the Extraordinary Session of the Forty-fifth General Assembly, relating to the manufacture, sale and distribution of beer, to empower cities and towns to enact ordinances relative to the sale of beer and revocation of license, and granting powers to boards of supervisors relative to the sale of beer and revocation of license."

Amend Senate File 320 by striking all after the enacting clause and inserting in lieu thereof:

"Section 1. Amend chapter twenty-five (25) of the acts of the Extraordinary Session of the Forty-fifth General Assembly by striking all of section thirty-four (34) and inserting in lieu thereof the following:

"Sec. 34. It is expressly provided, any provisions of this chapter to the contrary notwithstanding, that nothing in this chapter shall deny the right of cities and towns and boards of supervisors to revoke any license for any cause which may be inimical to or prevent the carrying out of the intent and purposes of this act, and no license which shall be revoked shall be renewed or a new license granted to the same person, nor a license granted to any other person effective on the same premises, for a period of at least one year. Cities and towns, including cities under special charter, are hereby empowered to enact ordinances for the enforcement of this act, and such ordinances may specifically provide for the limitation of licenses, for additional license fees, and for the regulation of closing hours, dancing, equipment, location, furnishings, and any other activities or matters which may affect the manufacture, sale, and distribution of beer and the good and moral welfare of the community involved. Any licensee who is guilty of the sale and/or dispensing of wines or spirits without a license or permit shall be guilty of a violation of this chapter and his license shall forthwith be revoked.

"Sec. 2. This act being deemed of immediate importance shall be in full force and effect after its passage and publication in the Dyersville Commercial, a newspaper published at Dyersville, Iowa, and in the Hopkinton Leader, a newspaper published at Hopkinton, Iowa."

H. C. BALDWIN.

Amend Senate File 198 by striking all of section one hundred seven (107) and inserting in lieu thereof the following:

"Sec. 107. No license for the sale of wines and spirits, as designated in this act, shall be granted or issued to any licensee until the applicant therefor has filed with the commission a bond in terms and with sureties approved by it payable to the state of Iowa in the sum of three thousand (3,000) dollars, conditioned upon the strict compliance by the licensee, his employees, and agents, with the conditions and terms upon which said license is issued, and with the laws of the state of Iowa, relating to intoxicating liquors. The surety on said bond shall be a surety or guarantee company or corporation authorized to do business as such in the state of Iowa. Upon failure of licensee at all times to comply fully with the terms and conditions upon which said license is issued, with

the terms of said bond and with the law, relating to intoxicating liquors, such bond in the full principal or penal sum thereof shall be due and payable, and said breach of the conditions, on which said license was issued, or of the terms of said bond, or of the liquor laws of the state of Iowa, shall cause and effect a forfeiture to the state of Iowa of said bond. Upon the failure or refusal of the principal and/or surety thereon to pay to the state the principal or penal sum of said bond upon the revocation of the license issued to the principal thereof, it shall be the duty of the attorney general in the name of the state of Iowa to institute legal action to collect the amount of said bond." H. C. BALDWIN.

Amend section two (2) of Senate File 302, by striking all of paragraph four (4).

Amend section three (3) of Senate File 302, by striking the comma and words in line 2 and 3 ", contract or private" and inserting in lieu thereof "or contract."

Amend section four (4) of Senate File 302, by striking from lines 18 and 19 the words and comma "or in furtherance of any private commercial enterprise,"

Amend section four (4) of Senate File 302, by striking from lines 23 and 24 the words and comma "or in furtherance of any private commercial enterprise,"

Amend section five (5) of Senate File 302, by striking from lines 2 and 3 the comma and words ", contract or private" and inserting in lieu thereof "or contract."

Amend section five (5) of Senate File 302, by striking from lines 4, 5, 6 and 7 the words and semicolon "or to any motor vehicle owned or operated by any private motor carrier while operated within a radius of twenty-five (25) miles beyond the limits of any city or town of this state;".

Amend section five (5) of Senate File 302, by striking from line 7 the comma and words ", contract or private" and inserting in lieu thereof "or contract."

Amend Senate File 302 by striking all of section thirteen (13) and fourteen (14).

Amend section fifteen (15) of Senate File 302, by striking from lines 3 and 4 the comma and words ", contract and private" and inserting in lieu thereof "and contract."

Amend section seventeen (17) of Senate File 302, by striking from line 1 the comma and words ", contract and private" and inserting in lieu thereof the words "and contract."

Amend section eighteen (18) of Senate File 302, by striking from lines 6 and 7 the comma and words ", contract and private" and inserting in lieu thereof the words "and contract."

Amend section eighteen (18) of Senate File 302, by striking from line 25 the words and comma "contract, or private" and inserting in lieu thereof the words "or contract."

Amend section nineteen (19) of Senate File 302, by striking from line 3 the comma and words ", contract or private" and inserting in lieu thereof "or contract."

Amend section twenty-one (21) of Senate File 302, by striking from lines 8 and 9 the comma and words “, contract and private” and inserting in lieu thereof “and contract.”

Amend section twenty-three (23) of Senate File 302, by striking from line 2 the comma and words “, contract or private” and inserting in lieu thereof “or contract.”

Amend section twenty-three (23) of Senate File 302, by striking from lines 4 and 5 the comma and words “, contract or private” and inserting in lieu thereof “or contract.”

Amend section twenty-three (23) of Senate File 302, by striking from lines 19 and 20 the comma and words “, contract or private” and inserting in lieu thereof the words “or contract.”

Amend section twenty-three (23) of Senate File 302, by striking from lines 22 and 23 the comma and words “, contract or private” and inserting in lieu thereof “or contract.”

Amend section twenty-four (24) of Senate File 302, by striking from line 1 the comma and words “, contract or private” and inserting in lieu thereof the words “or contract.”

Amend section thirty-eight (38) of Senate File 302, by striking from line 1 the comma and words “, contract or private” and inserting in lieu thereof the words “or contract.”

Amend section forty-two (42) of Senate File 302, by striking from line 2 the comma and words “, contract or private” and inserting in lieu thereof the words “or contract.”

Amend section forty-four (44) of Senate File 302, by striking from lines 2 and 3 the comma and words “, contract or private” and inserting in lieu thereof the words “or contract.”

Amend section forty-five (45) of Senate File 302, by striking from lines 4 and 5 the comma and words “, contract or private” and inserting in lieu thereof “or contract.”

Amend section forty-five (45) of Senate File 302, by striking from line 6 the comma and words “, contract or private” and inserting in lieu thereof “or contract.”

Amend section forty-six (46) of Senate File 302, by striking from line 3 the comma and words “, contract or private” and inserting in lieu thereof the words “or contract.”

Amend section forty-seven (47) of Senate File 302, by striking from line 2 the comma and words “, contract or private” and inserting thereof “or contract.”

H. C. BALDWIN.

REPORTS OF COMMITTEES

Senator Mullaney submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs to which was referred House File 122, a bill for an act to amend section fifty-seven hundred seventy-three (5773), Code, 1931, relating to city or town halls and providing for joint ownership with townships, begs leave to report it has had the same under consideration and recommends the same do pass.

T. W. MULLANEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred House File 123, a bill for an act to amend sections fifty-five hundred seventy-seven (5577), fifty-five hundred seventy-eight (5578), and fifty-five hundred seventy-nine (5579), Code, 1931, relating to the location, construction or purchase, and joint ownership of township halls, begs leave to report it has had the same under consideration and recommends the same do pass.

T. W. MULLANEX, *Chairman*.

Ordered passed on file.

Senator Kimberly submitted the following report:

MR. PRESIDENT: Your committee on ways and means to which was referred House File 5, a bill for an act to amend section seventy-one hundred seventy-one (7171), Code, 1931, relating to the repeal of the poll tax levied on each male resident over twenty-one (21) years of age, begs leave to report it has had the same under consideration and recommends the same do pass.

D. W. KIMBERLY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred Senate File 54, a bill for an act to amend section sixty-nine hundred sixty-three (6963), Code, 1931, relating to the assessment of moneys and credits and to the place of said assessment, begs leave to report it has had the same under consideration and returns the bill without recommendation.

D. W. KIMBERLY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred Senate File 71, a bill for an act to amend paragraph three (3) of section twenty-one (21) of chapter eighty-two (82) of the acts of the Extraordinary Session of the Forty-fifth General Assembly providing for a five (5) per cent penalty upon additional amounts of income tax found due, and providing for interest of one-half of one ($\frac{1}{2}$ of 1) per cent per month on such additional amounts of tax and penalty, begs leave to report it has had the same under consideration and returns the bill without recommendation.

D. W. KIMBERLY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred Senate File 88, a bill for an act to amend section seventy-one hundred nine (7109), Code, 1931, relating to assessment of property for taxation, begs leave to report it has had the same under consideration and returns the bill without recommendation.

D. W. KIMBERLY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred Senate File 111, a bill for an act to amend section thirty-four (34) of chapter nineteen (19), acts Extra Session of the Forty-fifth General Assembly, relating to old age assistance tax, begs leave to report it has had the same under consideration and recommends the same do pass.

D. W. KIMBERLY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred Senate File 170, a bill for an act to amend chapter eighty-two (82), acts of the Extra Session of the Forty-fifth General Assembly, and chapter sixty-two (62), acts of the Forty-fifth General Assembly, so as to provide for allocating a portion of the proceeds of the tax authorized by said chapter eighty-two (82) to the school districts of the state, to replace a corresponding portion of the property tax, and to provide the method of allocation, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

D. W. KIMBERLY, *Chairman*.

Ordered passed on file.

Senator Kimberly submitted the following report:

MR. PRESIDENT: Your committee on ways and means to which was referred Senate File 172, a bill for an act to raise revenue to impose a tax on conducting a business by a system of chain stores for selling or otherwise disposing of tangible goods, wares or merchandise at retail, with certain exceptions; providing for the assessment and collection of said tax, and for the distributing of the proceeds therefrom; providing penalties for the violation thereof; and providing for an appropriation for the enforcement thereof, be amended as follows; and when so amended the bill do pass:

1. Amend section two (2) by striking all of subsection seven (7) and inserting in lieu thereof the following:

"7. 'Conducting a business by a system of chain stores' when used in this act shall be construed to mean and include every person, as defined in this act, in the business of owning, operating or maintaining, directly or indirectly, under the same general management, supervision, control or ownership in this state, and/or in this state and any other state, two (2) or more stores, where goods, wares, articles, commodities, or merchandise of any kind whatsoever are sold or offered for sale at retail and where the person operating such store or stores receive the retail profit from the commodities sold therein. Two (2) or more stores shall, for the purposes of this act, be treated as being under a single or common ownership, control, supervision or management, if directly or indirectly owned or controlled by a single person or any group of persons, or by a common interest in such stores, or if any part of the gross revenue, net revenues or profits from such store shall, directly or indirectly, be required to be immediately or ultimately made available for the beneficial uses,

or shall directly or indirectly inure to the immediate or ultimate benefit, of any single person or any group of persons having a common interest therein. Not more than one (1) of said stores need be located in this state, if one (1) or more of said stores of said person is located in any other state. The fact that two (2) or more retail stores are ostensibly owned and operated by different persons, shall not defeat the application of this act where such stores are under the same general management, supervision or ownership. Lease and agency, and lease and ownership agreements or contracts, or operation under a common name shall, unless shown to the contrary, be deemed to constitute operation under the same general management, supervision or ownership."

2. Amend section two (2) by striking all of subsection eight (8) and inserting in lieu thereof the following:

"8. 'Gross receipts' when used in this act shall be construed to mean and include the total amount of all sales of retailers valued in money, whether received in money or otherwise, provided, however, that discounts for any purpose allowed or taken on sales shall not be included, nor shall the sale price of property returned by customers when the full sale price thereof is refunded either by cash or in credit be included. Provided, however, that on sales of retailers valued in money when such sales are made under a conditional sales contract, or under other forms of sale wherein the payment of the principal sum thereunder be extended over a period longer than sixty (60) days, that only such portion of the sale amount thereof shall be accounted for, for the purpose of the imposition of the tax in this act as has actually been received in cash by the retailer during the taxable year as herein defined. Gross receipts shall not include taxes imposed and collected upon motor vehicle fuel by the laws of the state of Iowa. Gross receipts shall not include the consideration received by the vendor from the purchaser residing without this state unless the purchaser is present within this state at the time of such sale or purchase."

3. Amend section three (3) by striking all of subsection (b) and inserting in lieu thereof the following:

"Persons exclusively engaged in gardening or farming, selling in this state products of their own raising."

4. Amend section three (3) by striking all of subsection (c) and inserting in lieu thereof the following:

"Persons principally engaged in selling at retail lumber, coal, building materials, feed or grain."

5. Amend section four (4) by inserting after the words "disposed of" in line 4 the words "at retail." Further amend said section by striking out the word "being" in line 7 and inserting in lieu thereof the word "is"; and also amend by adding a comma after the word "engaged" in line 8.

6. Amend section four (4) by striking all of subsection (b) to and including line 79 thereof and inserting in lieu thereof the following:

"(b) An amount based on the combined gross receipts of each person on all of said business of each and all stores within this state under a single or common ownership, control, supervision or management, conducting a business by a system of chain stores, but which shall be com-

puted by applying the following rates to the entire or combined gross receipts:

1. One hundred twenty-five (125) dollars when the gross receipts are not in excess of fifty thousand (50,000) dollars.

2. Two hundred fifty (250) dollars when the gross receipts are in excess of fifty thousand (50,000) dollars but not in excess of one hundred thousand (100,000) dollars.

3. Five hundred (500) dollars when the gross receipts are in excess of one hundred thousand (100,000) dollars but not in excess of one hundred fifty thousand (150,000) dollars.

4. Seven hundred fifty (750) dollars when the gross receipts are in excess of one hundred fifty thousand (150,000) dollars but not in excess of two hundred thousand (200,000) dollars.

5. One thousand two hundred fifty (1,250) dollars when the gross receipts are in excess of two hundred thousand (200,000) dollars but not in excess of two hundred fifty thousand (250,000) dollars.

6. One thousand seven hundred fifty (1,750) dollars when the gross receipts are in excess of two hundred fifty thousand (250,000) dollars but not in excess of three hundred thousand (300,000) dollars.

7. Three thousand seven hundred fifty (3,750) dollars when the gross receipts are in excess of three hundred thousand (300,000) dollars but not in excess of four hundred thousand (400,000) dollars.

8. Six thousand seven hundred fifty (6,750) dollars when the gross receipts are in excess of four hundred thousand (400,000) dollars but not in excess of five hundred thousand (500,000) dollars.

9. Sixteen thousand seven hundred fifty (16,750) dollars when the gross receipts are in excess of five hundred thousand (500,000) dollars but not in excess of seven hundred fifty thousand (750,000) dollars.

10. Twenty-nine thousand two hundred fifty (29,250) dollars when the gross receipts are in excess of seven hundred fifty thousand (750,000) dollars but not in excess of one million (1,000,000) dollars.

11. Fifty-six thousand seven hundred fifty (56,750) dollars when the gross receipts are in excess of one million (1,000,000) dollars but not in excess of one million five hundred thousand (1,500,000) dollars.

12. Eighty-four thousand two hundred fifty (85,250) dollars when the gross receipts are in excess of one million five hundred thousand (1,500,000) dollars but not in excess of two million (2,000,000) dollars.

13. One hundred fourteen thousand two hundred fifty (114,250) dollars when the gross receipts are in excess of two million (2,000,000) dollars but not in excess of two million five hundred thousand (2,500,000) dollars.

14. One hundred forty-four thousand two hundred fifty (144,250) dollars when the gross receipts are in excess of two million five hundred thousand (2,500,000) dollars but not in excess of three million (3,000,000) dollars.

15. One hundred seventy-nine thousand five hundred (179,500) dollars when the gross receipts are in excess of three million (3,000,000) dollars but not in excess of three million five hundred thousand (3,500,000) dollars.

16. Two hundred fourteen thousand five hundred (214,500) dollars

when the gross receipts are in excess of three million five hundred thousand (3,500,000) dollars but not in excess of four million (4,000,000) dollars.

17. Two hundred fifty-four thousand (254,000) dollars when the gross receipts are in excess of four million (4,000,000) dollars but not in excess of four million five hundred thousand (4,500,000) dollars.

18. Two hundred ninety-five thousand (295,000) dollars when the gross receipts are in excess of four million five hundred thousand (4,500,000) dollars but not in excess of five million (5,000,000) dollars.

19. Three hundred ninety-four thousand (394,000) dollars when the gross receipts are in excess of five million (5,000,000) but not in excess of six million (6,000,000) dollars.

20. Four hundred ninety-four thousand (494,000) when the gross receipts are in excess of six million (6,000,000) dollars but not in excess of seven million (7,000,000) dollars.

21. Five hundred ninety-four thousand (594,000) dollars when the gross receipts are in excess of seven million (7,000,000) dollars but not in excess of eight million (8,000,000) dollars.

22. Six hundred ninety-four thousand (694,000) dollars when the gross receipts are in excess of eight million (8,000,000) dollars but not in excess of nine million (9,000,000) dollars.

23. Eight hundred thousand (800,000) dollars when the gross receipts are in excess of nine million (9,000,000) dollars but not in excess of ten million (10,000,000) dollars.

24. Nine hundred fifty thousand (950,000) dollars when the gross receipts are in excess of ten million (10,000,000) dollars.

7. Amend section four (4) by striking out the period after the word "thereafter" in line 85 and inserting in lieu thereof a semicolon and adding the following:

"the tax imposed hereby as far as measured by subsection (a) hereof shall be computed on the basis of the number of stores operated by any person under a system of chain stores in this state as of July 1st, of each taxable year."

8. Also amend section four (4) by striking the period after the word "thereafter" in line 87 and inserting a semicolon and adding the following:

"or within thirty (30) days after any person liable for such tax shall cease entirely to do business within this state of the kind on which the tax is imposed."

9. Amend section fourteen (14) by striking out the words and figures "seventy-five thousand (75,000)" in line 4 and inserting in lieu thereof the words and figures "twenty-five thousand (25,000)" and striking out the words and figures "seventy-five thousand (75,000)" in line 13 and inserting in lieu thereof the words and figures "twenty-five thousand (25,000)."

10. Amend section fifteen (15) by striking all of said section and inserting in lieu thereof the following:

"Sec. 15. All fees, taxes, interest and penalties imposed under this act must be paid to the board in the form of remittances payable to the Treasurer of State of Iowa and the said board shall transmit each pay-

ment daily to the State Comptroller to be deposited in the state treasury to the credit of the special tax fund created by the provisions of chapter eighty-two (82) of the laws of the Forty-fifth General Assembly in Extraordinary Session and said revenue shall be allocated and distributed under the provisions of section sixty-two (62) of said chapter eighty-two (82)."

11. Amend section sixteen (16) by adding thereto as subsection four (4) the following:

"Any person failing to report and pay the occupation tax including penalties provided for in this act shall be guilty of a misdemeanor and upon conviction shall be fined not less than twenty-five (25) dollars nor more than one hundred (100) dollars and the illegal operation of each retail store or mercantile establishment for each and every day that such violation shall continue shall constitute a separate and distinct offense."

12. Amend by adding after section sixteen (16) the following:

"Sec. 17. The tax levied and collected under this act shall not be affected or be in lieu of the Iowa retail sales tax or any other tax levied under any other act but the taxes levied and collected hereunder are levied and collected as an occupation tax." Renumber the remaining sections.

13. Amend section eighteen (18) by adding after the word "unconstitutional" in line fourteen (14) the following:

"If any exemption provided for in this act is determined by any court of competent jurisdiction to be unconstitutional and invalid, then the legislature hereby declares that it would have passed this act without said exemption."

14. Amend by striking the title and inserting in lieu thereof the following:

"An act to impose an occupation tax on persons conducting a business by a system of chain stores for selling or otherwise disposing of tangible personal property, such as goods, wares and merchandise at retail, with certain exceptions; providing for the assessment and collection of said tax, and for the distribution and use of the proceeds therefrom; providing for the administration of said law; providing penalties and fines for the violation thereof; and providing for an appropriation for the enforcement thereof."
D. W. KIMBERLY, *Chairman.*

Senator Anderson moved that the Senate adjourn until 10:00 a. m., Monday, April 8.

As a substitute motion, Senator Wilson moved that the Senate adjourn until 10:00 a. m., Saturday.

The motion to substitute prevailed and the substitution was made. The substitute motion prevailed and the Senate adjourned until 10:00 a. m., Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 6, 1935.

The Senate met in regular session, called to order by the secretary, Hedo M. Zacherle, in the absence of the President and President pro tempore.

Prayer was offered by Rev. Father Hansen of the Visitation church at Des Moines.

On motion of Senator Schmidt, Senator Wilson was selected as temporary president.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Roelofs for the day, on request of Senator Chrystal; Senator Parker for the day, on request of Senator Bell of Des Moines; Senator Grunewald for the day, on request of Senator Elthon; Senator Goetsch for the day, on request of Senator Shaw; Senator Aschenbrenner for the day, on request of Senator Shangle; Senator Harrington for the day, on request of Senator Driscoll; Senator Byers for the day, on request of Senator Mullaney; Senator Stanley for the day, on request of Senator Shaw.

PETITIONS AND MEMORIALS

The following petitions were received and filed, to be referred to the designated committees:

Senator Baldwin, from residents of Dubuque county, favoring the chain store bill. Committee on cities and towns.

Senator Schmidt, from residents of Iowa county, favoring the chain store bill. Committee on cities and towns.

Senator Stevens of Decatur, from residents of Union county, opposing the chain store bill. Committee on cities and towns.

Senator Chrystal, from residents of Sac county, opposing Senate File 283. Committee on board of control and public welfare.

Senator Baldwin, from residents of Dubuque county, opposing Senate File 283. Committee on board of control and public welfare.

The Journal of April 5, 1935, was corrected and approved.

SENATE FILE 81 WITHDRAWN

By unanimous consent granted Senator Corwin, Senate File 81 was withdrawn from further consideration by the Senate.

INTRODUCTION OF BILLS

Senate File 361, by committee on federal coordination, a bill for an act to provide for the public welfare through the recognition of the economic emergency existing in this state and nation; to declare the policy of the state of Iowa to be that of cooperating with and assisting the national government in making it possible for many people in the state to support themselves and their families; to reduce and relieve unemployment; to promote the health, safety, morals, and welfare of the people of the state which such unemployment endangers; to establish a uniform and expeditious procedure under which real estate necessary for the successful completion of projects contemplated by the public works program of the emergency relief appropriation federal act of 1935 may be acquired by eminent domain proceedings.

The bill was read first and second times and placed on the calendar.

Senate File 362, by committee on federal coordination, a bill for an act to authorize the superintendent of banking and the state banking board and under such rules and regulations as they may prescribe to grant authority to state banks, savings banks and trust companies, now or hereafter organized under the laws of this state, to do any and all things which said supervising authorities and said banking institutions may find it desirable and necessary to do in order to take advantage of memberships, loans, subscriptions, grants, or of any other rights and privileges including the right to incur obligations and to grant subrogation, and any and all of which may be available or inure to said banking institutions or to their depositors or to their stockholders, or to the superintendent of banking as manager of any banking institution being reorganized or to him as liquidator or receiver, by virtue of section eight (8) of the federal banking act of 1933 (section twelve B (12B) of the federal reserve act as amended) creating the federal deposit insurance corporation to aid or still further safeguard banking institutions and depositors; and when

authorized by the superintendent of banking to grant authority to the federal deposit insurance corporation to make examinations of state banks, savings banks and trust companies; and to authorize the exchange of the reports of examinations between the federal deposit insurance corporation and the superintendent of banking; to authorize the superintendent of banking under certain conditions to borrow from the federal deposit insurance corporation; to amend section ninety-one hundred ninety-two (9192), section ninety-two hundred nine (9209), and section ninety-two hundred sixty-one-c one (9261-c1) of the Code, 1931, all relating to bank capital, to provide that preferred stock shall be considered as a part of capital; to amend section ninety-one hundred eighty-nine (9189), section ninety-two hundred seventeen (9217), section ninety-two hundred sixty-two-c one (9262-c1) and section ninety-three hundred one (9301) of the Code, 1931, all relating to bank surplus funds and dividends, to provide that said sections shall not apply to dividends payable on preferred stock owned by any governmental agency including the reconstruction finance corporation; to make it unnecessary for any banking institution to furnish to any person holding any office under the state or under any political subdivision thereof or for said person to require security for any deposits in his custody to the extent that such deposits are insured under section twelve B (12B) of the federal reserve act as amended.

The bill was read first and second times and placed on the calendar.

Senate File 363, by committee on federal coordination, a bill for an act relating to state and national codes of fair competition approved or entered into for the purpose of encouraging industrial recovery, reducing unemployment, eliminating unfair competition, and for other purposes set forth therein; and providing requirements and conditions concerning approval, administration, and enforcement of said codes; and prescribing the powers and duties of the executive council with respect thereto; and providing penalties for violations of the provisions thereof; and providing for exemption from state anti-trust laws; and providing for the recovery for non-payment of wages by employees subject thereto; and providing for the utilization of national, state, and local officers; and providing for certificates of compliance there-

with in the letting of public contracts in order to effectuate the policy of this act and declaring an emergency.

The bill was read first and second times and placed on the calendar.

Senate File 364, by committee on county and township affairs, a bill for an act to legalize action of the board of supervisors of Dallas county, Iowa, in making expenditures from the Dallas county insane fund for the purpose of paying the expenses and maintenance of the Dallas county home.

The bill was read first and second times and placed on the calendar.

President N. G. Kraschel took the chair at 10:30 a. m.

PROOFS OF PUBLICATION

I hereby certify that there has been filed with me, as Secretary of the Senate, a proof of publication from the Centerville Daily Iowegian and Citizen, Centerville, Iowa, relating to House File 250, an act to make permanent a temporary transfer of funds in Appanoose county, Iowa, from the bovine tuberculosis fund to the pauper fund of said county.

I hereby certify that there has been filed with me, as Secretary of the Senate, a proof of publication from the Humboldt Republican, Humboldt, Iowa, relating to House File 248, a bill for an act to legalize an election held in Norway township, Humboldt county, Iowa, on the 6th day of November, 1934, relating to the purchase and maintenance jointly with the incorporated town of Thor, Iowa, certain fire apparatus and equipment; to purchase real estate and build a building thereon jointly with said incorporated town and to levy a tax therefor.

I hereby certify that there has been filed with me, as Secretary of the Senate, a proof of publication from the Humboldt Republican, Humboldt, Iowa, relating to House File 249, a bill for an act to legalize an election held in the incorporated town of Thor, Humboldt county, Iowa, on the 29th day of October, 1934, relating to the purchase and maintenance jointly with Norway township, certain fire apparatus and equipment; to purchase real estate and build a building thereon jointly with said township authorities and levy a tax therefor and issue bonds.

The official proof of publication of Senate File 364, a bill for an act to legalize action of the board of supervisors of Dallas county, Iowa, in making expenditures from the Dallas county insane fund for the purpose of paying the expenses and maintenance of the Dallas county home, was duly filed with the Secretary of the Senate in compliance with the provisions of section ten thousand three hundred fifty-eight (10358) of the Code, 1931.

The official proof of publication of Senate File 184, a bill for an act to make permanent a temporary transfer made January 9, 1934, by au-

thority of the state comptroller of Iowa, of eleven thousand (11,000) dollars from the court expense fund of Clayton county, Iowa, to the poor fund of said county, was duly filed with the Secretary of the Senate in compliance with the provisions of section ten thousand three hundred fifty-eight (10358) of the Code, 1931.

The official proof of publication of Senate File 185, a bill for an act to make permanent a temporary transfer made December 31, 1932, by authority of the state comptroller of Iowa, of nine thousand three hundred (9,300) dollars from the court expense fund of Clayton county, Iowa, to the poor fund of said county, was duly filed with the Secretary of the Senate in compliance with the provisions of section ten thousand three hundred fifty-eight (10358) of the Code, 1931.

HEDO M. ZACHERLE, *Secretary of the Senate.*

THIRD READING OF BILLS

By unanimous consent granted Senator Wilson, the rules were suspended and Senate File 340, a bill for an act to legalize certain expenditures heretofore made by the city of Davenport, Iowa, a municipal corporation acting under special charter, for the publication of delinquent tax lists during the years 1932, 1933 and 1934, was taken up and considered.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 31:

Baldwin	Doze	Knudson	Patterson
Beardsley	Driscoll	Malone	Pendray
Bell of	Elthon	Mason	Reese
Des Moines	Fisch	Meyer	Schmidt
Berg	Geske	Miller	Shaw
Calhoun	Hopkins	Millhone	Stevens of
Corwin	Hush	Moore	Wapello
Dewey	Husted	Mullaney	Wilson
Donohue			

Nays, none.

Absent or not voting, 19:

Anderson	Chrystal	Kimberly	Shangle
Aschenbrenner	Goetsch	McArthur	Stanley
Bell of Crawford	Grunewald	Nelson	Stevens of
Billingsley	Harrington	Parker	Decatur
Byers	Irwin	Roelofs	Valentine

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

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 218, a bill for an act relating to the establishment and operation of limestone quarries in certain counties of the state.

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

House File 239, a bill for an act relating to veterinary medicine and surgery and the illegal practice of same.

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

House File 248, a bill for an act to legalize an election held in Norway township, Humboldt county, relating to fire apparatus and equipment, etc.

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

House File 249, a bill for an act legalizing an election held in the town of Thor, Iowa, relating to fire apparatus and equipment.

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

House File 250, a bill for an act to make permanent a transfer of funds in Appanoose county, from the bovine tuberculosis fund to the pauper fund.

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

House File 269, a bill for an act relating to brakes on motor vehicles when in use on public highways.

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

House File 270, a bill for an act to define and regulate the installation of compressed gas systems.

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

House File 287, a bill for an act legalizing the corporate acts of the Farmers Elevator Company, Northwood, Iowa, and to restore their corporate status.

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

Senate File 290, a bill for an act relating to rate of tax that may be fixed by the river front improvement commission.

VIRGIL LEKIN, *Chief Clerk.*

THIRD READING OF BILLS

By unanimous consent granted Senator Wilson, the rules were suspended and Senate File 146, a bill for an act to amend section seventy-three hundred thirty (7330), Code, 1931, relating to the compensation and mileage of inheritance tax appraisers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 28:

Baldwin	Dewey	Knudson	Mullaney
Beardsley	Donohue	Malone	Patterson
Bell of	Doze	Mason	Schmidt
Des Moines	Driscoll	Meyer	Shaw
Berg	Elthon	Miller	Stevens of
Calhoun	Fisch	Millhone	Wapello
Chrystal	Hopkins	Moore	Wilson
Corwin	Husted		

Nays, none.

Absent or not voting, 22:

Anderson	Goetsch	McArthur	Shangle
Aschenbrenner	Grunewald	Nelson	Stanley
Bell of Crawford	Harrington	Parker	Stevens of
Billingsley	Hush	Pendray	Decatur
Byers	Irwin	Reese	Valentine
Geske	Kimberly	Roelofs	

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

By unanimous consent granted Senator Wilson, the rules were suspended and Senate File 87, a bill for an act to amend section twelve thousand seven hundred seventy-two (12772), Code, 1931, relating to investment of trust funds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 28:

Baldwin	Doze	Mason	Pendray
Beardsley	Driscoll	Meyer	Reese
Bell of	Elthon	Miller	Schmidt
Des Moines	Geske	Millhone	Shaw
Berg	Hopkins	Moore	Stevens of
Chrystal	Husted	Mullaney	Wapello
Corwin	Knudson	Patterson	Wilson
Donohue	Malone		

Nays, 1:

Dewey

Absent or not voting, 21:

Anderson	Billingsley	Fisch	Harrington
Aschenbrenner	Byers	Goetsch	Hush
Bell of Crawford	Calhoun	Grunewald	Irwin
Kimberly	Parker	Stanley	Decatur
McArthur	Roelofs	Stevens of	Valentine
Nelson	Shangle		

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

By unanimous consent granted Senator Knudson, the rules were suspended and Senate File 273, a bill for an act to amend section eighty-nine hundred eighty-one (8981) of chapter four hundred four (404), Code, 1931, to exempt liens accruing to the benefit of the old age pension fund from the general provisions relating to lien conditions in insurance contracts, other than life, invalidating policies, was taken up and considered.

The bill was read for information.

Senator Knudson moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 31:

Baldwin	Doze	Knudson	Patterson
Beardsley	Driscoll	Malone	Pendray
Bell of	Elthon	Mason	Reese
Des Moines	Fisch	Meyer	Schmidt
Berg	Geske	Miller	Shaw
Chrystal	Hopkins	Millhone	Stevens of
Corwin	Hush	Moore	Wapello
Dewey	Husted	Mullaney	Wilson
Donohue			

Nays, none.

Absent or not voting, 19:

Anderson	Calhoun	Kimberly	Shangle
Aschenbrenner	Goetsch	McArthur	Stanley
Bell of Crawford	Grunewald	Nelson	Stevens of
Billingsley	Harrington	Parker	Decatur
Byers	Irwin	Roelofs	Valentine

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

By unanimous consent granted Senator Elthon, the rules were suspended and Senate File 143, a bill for an act for the protection of the seed potato supply of the state of Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Elthon offered the following amendment and moved its adoption:

Amend Senate File 143 by inserting a semicolon in line 8 of section two (2) following the word "that";

Further amend by striking the word and figure "Sec. 3" and inserting in lieu thereof "(a)";

Further amend by renumbering the remaining sections.

By unanimous consent, the amendment was adopted.

Senator Elthon moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 28:

Baldwin	Dewey	Husted	Mullaney
Beardsley	Donohue	Knudson	Patterson
Bell of	Doze	Malone	Reese
Des Moines	Driscoll	Mason	Shaw
Berg	Elthon	Meyer	Stevens of
Calhoun	Geske	Miller	Wapello
Chrystal	Hopkins	Millhone	Wilson
Corwin	Hush		

Nays, none.

Absent or not voting, 22:

Anderson	Goetsch	Moore	Shangle
Aschenbrenner	Grunewald	Nelson	Stanley
Bell of Crawford	Harrington	Parker	Stevens of
Billingsley	Irwin	Pendray	Decatur
Byers	Kimberly	Roelofs	Valentine
Fisch	McArthur	Schmidt	

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

By unanimous consent granted Senator Geske, the rules were suspended and Senate File 184, a bill for an act to make permanent a temporary transfer made January 9, 1934, by authority of the state comptroller of Iowa, of eleven thousand (11,000) dollars from the court expense fund of Clayton county, Iowa, to the poor fund of said county, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Geske moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 29:

Baldwin	Dewey	Husted	Patterson
Beardsley	Donohue	Knudson	Pendray
Bell of	Doze	Malone	Reese
Des Moines	Driscoll	Mason	Shaw
Berg	Elthon	Meyer	Stevens of
Calhoun	Geske	Miller	Wapello
Chrystal	Hopkins	Millhone	Wilson
Corwin	Hush	Mullaney	

Nays, none.

Absent or not voting, 21:

Anderson	Goetsch	Moore	Shangle
Aschenbrenner	Grunewald	Nelson	Stanley
Bell of Crawford	Harrington	Parker	Stevens of
Billingsley	Irwin	Roelofs	Decatur
Byers	Kimberly	Schmidt	Valentine
Fisch	McArthur		

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

By unanimous consent granted Senator Geske, the rules were suspended and Senate File 185, a bill for an act to make permanent a temporary transfer made December 31, 1932, by authority of the state comptroller of Iowa, of nine thousand three hundred (9,300) dollars from the court expense fund of Clayton county, Iowa, to the poor fund of said county, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Geske moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 26:

Baldwin	Dewey	Knudson	Mullaney
Beardsley	Doze	Malone	Pendray
Bell of	Driscoll	Mason	Reese
Des Moines	Elthon	Meyer	Shaw
Berg	Geske	Miller	Stevens of
Calhoun	Hopkins	Millhone	Wapello
Corwin	Husted	Moore	Wilson

Nays, none.

Absent or not voting, 24:

Anderson	Fisch	Kimberly	Schmidt
Aschenbrenner	Goetsch	McArthur	Shangle
Bell of Crawford	Grunewald	Nelson	Stanley
Billingsley	Harrington	Parker	Stevens of
Byers	Hush	Patterson	Decatur
Chrystal	Irwin	Roelofs	Valentine
Donohue			

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

CONSIDERATION OF SENATE FILE 294 RESUMED

By unanimous consent granted Senator Doze, the rules were suspended and Senate File 294, a bill for an act to amend chapter sixty-eight (68), Code, 1931, relating to the filling or sealing of openings of abandoned coal mines subject to the approval of the mine inspector; relating to the breaking of any seal on any finished or abandoned mine; relating to the moving of any machinery or equipment away from such abandoned mine before the requirements of this act have been complied with; and relating to the penalty for the violation of the provisions of this act, was again taken up and considered.

Senator Wilson offered the following amendment and moved its adoption:

Amend Senate File 294 by striking from lines 6 and 7 of section one (1) the words "or has been abandoned in the past."

Further amend section three (3) by inserting after the word "material" in line 4 the words "without the consent of the mine inspector."

Further amend the title of the bill by striking from line 2 the word "coal."

Further amend the title by striking all of the *Whereas* that appears between the title and the enacting clause.

The motion prevailed and the amendment was adopted.

Senator Doze moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 31:

Baldwin	Donohue	Knudson	Patterson
Beardsley	Doze	Malone	Pendray
Bell of	Driscoll	Mason	Reese
Des Moines	Elthon	Meyer	Schmidt
Berg	Geske	Miller	Shaw
Calhoun	Hopkins	Millhone	Stevens of
Chrystal	Hush	Moore	Wapello
Corwin	Husted	Mullaney	Wilson
Dewey			

Nays, none.

Absent or not voting, 19:

Anderson	Fisch	Kimberly	Shangle
Aschenbrenner	Goetsch	McArthur	Stanley
Bell of Crawford	Grunewald	Nelson	Stevens of
Billingsley	Harrington	Parker	Decatur
Byers	Irwin	Roelofs	Valentine

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

THIRD READING OF BILLS

By unanimous consent granted Senator Donohue, the rules were suspended and Senate File 329, a bill for an act to amend sections eighty-three hundred thirty-eight-c two (8338-c2) and eighty-three hundred thirty-eight-c seven (8338-c7), Code, 1931, and section one (1), chapter one hundred eighty-three (183), acts of the Forty-fifth General Assembly, relating to the powers of the commission of aeronautics and the erection of objects or structures near certain airports, was taken up and considered.

The bill was read for information.

Senator Donohue moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 28:

Baldwin	Dewey	Knudson	Pendray
Beardsley	Donohue	Mason	Reese
Bell of	Doze	Meyer	Schmidt
Des Moines	Driscoll	Miller	Shaw
Berg	Elthon	Millhone	Stevens of
Calhoun	Geske	Mullaney	Wapello
Chrystal	Hopkins	Patterson	Wilson
Corwin	Hush		

Nays, none.

Absent or not voting, 22:

Anderson	Goetsch	McArthur	Shangle
Aschenbrenner	Grunewald	Malone	Stanley
Bell of Crawford	Harrington	Moore	Stevens of
Billingsley	Husted	Nelson	Decatur
Byers	Irwin	Parker	Valentine
Fisch	Kimberly	Roelofs	

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

By unanimous consent granted Senator Chrystal, the rules were suspended and Senate File 135, a bill for an act to amend section four thousand seven hundred fifty-five-b four (4755-b4), chapter two hundred forty-one-B one (241-B1), Code, 1931, relating to disbursement of primary road fund, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Chrystal offered the following amendment and moved its adoption:

Amend Senate File 135, section one (1), by inserting after the comma in line 7, the following: "and to reimburse any corporation so organized for the full amount of any assessments shown by them to have heretofore been paid in satisfaction of assessments for primary road improvement,".

The motion prevailed and the amendment was adopted.

ACTION ON SENATE FILE 135 DEFERRED

By unanimous consent granted Senator Chrystal, it was ordered that action on Senate File 135 be deferred.

CONSIDERATION OF HOUSE FILE 63 CONCLUDED

By unanimous consent granted Senator Calhoun, the rules were suspended and House File 63, a bill for an act to amend section six hundred seventy-six (676), Code, 1931, relating to registration of voters, was again taken up and considered.

Senator Berg was granted unanimous consent to withdraw his pending amendment, as found on page 725 of the Senate Journal.

Senator Calhoun offered the following amendment and moved its adoption:

Amend House File 63 by adding thereto the following:

"Sec. 2. Amend section six hundred seventy-six (676), Code, 1931, by adding thereto the following: 'Provided, however, that by city ordinance, registration of voters may be required in any city having a population of not less than six thousand and not more than ten thousand.'"

The motion prevailed and the amendment was adopted.

Senator Calhoun moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 27:

Baldwin	Donohue	Knudson	Patterson
Beardsley	Doze	Mason	Pendray
Bell of	Driscoll	Meyer	Reese
Des Moines	Geske	Miller	Shaw
Berg	Hopkins	Millhone	Stevens of
Calhoun	Hush	Moore	Wapello
Corwin	Husted	Mullaney	Wilson
Dewey			

Nays, none.

Absent or not voting, 23:

Anderson	Elthon	Kimberly	Schmidt
Aschenbrenner	Fisch	McArthur	Shangle
Bell of Crawford	Goetsch	Malone	Stanley
Billingsley	Grunewald	Nelson	Stevens of
Byers	Harrington	Parker	Decatur
Chrystal	Irwin	Roelofs	Valentine

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

THIRD READING OF BILLS

By unanimous consent granted Senator Calhoun, the rules were suspended and House File 24, a bill for an act to amend chapter

two hundred fifty-one (251), Code, 1931, relating to the annual license fees for motor vehicles converted into trucks with a loading capacity of less than one thousand (1000) pounds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Calhoun moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 26:

Baldwin	Donohue	Husted	Mullaney
Beardsley	Doze	Knudson	Pendray
Berg	Driscoll	Mason	Reese
Calhoun	Elthon	Meyer	Shaw
Chrystal	Geske	Miller	Stevens of
Corwin	Hopkins	Millhone	Wapello
Dewey	Hush	Moore	

Nays, none.

Absent or not voting, 24:

Anderson	Fisch	Malone	Shangle
Aschenbrenner	Goetsch	Nelson	Stanley
Bell of Crawford	Grunewald	Parker	Stevens of
Bell of	Harrington	Patterson	Decatur
Des Moines	Irwin	Roelofs	Valentine
Billingsley	Kimberly	Schmidt	Wilson
Byers	McArthur		

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

By unanimous consent granted Senator Meyer, the rules were suspended and Senate File 297, a bill for an act to provide for the abandonment and dissolution of drainage or levee districts in certain cases; to provide procedure for same; to provide for appeal from order of board for same and to provide for payment of expense of same and refund of any balance; to provide for sale of property and distribution of proceeds and to provide for abandonment of rights-of-way, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent granted Senator Shaw, it was ordered

that the second word "of" in line 6 of section two (2) be changed to "or."

The bill was read for information.

Senator Meyer moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 28:

Baldwin	Dewey	Husted	Mullaney
Beardsley	Donohue	Knudson	Pendray
Bell of	Doze	Mason	Reese
Des Moines	Driscoll	Meyer	Shaw
Berg	Elthon	Miller	Stevens of
Calhoun	Geske	Millhone	Wapello
Chrystal	Hopkins	Moore	Wilson
Corwin	Hush		

Nays, none.

Absent or not voting, 22:

Anderson	Goetsch	Malone	Shangle
Aschenbrenner	Grunewald	Nelson	Stanley
Bell of Crawford	Harrington	Parker	Stevens of
Billingsley	Irwin	Patterson	Decatur
Byers	Kimberly	Roelofs	Valentine
Fisch	McArthur	Schmidt	

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

By unanimous consent granted Senator Knudson, the rules were suspended and Senate File 207, a bill for an act to amend section six thousand two hundred eleven (6211), Code, 1931, relating to the power of any city or town to levy annual taxes for particular purposes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Knudson moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 27:

Baldwin	Dewey	Husted	Patterson
Beardsley	Donohue	Knudson	Pendray
Bell of	Driscoll	Mason	Reese
Des Moines	Elthon	Meyer	Shaw
Berg	Geske	Miller	Stevens of
Calhoun	Hopkins	Moore	Wapello
Chrystal	Hush	Mullaney	Wilson
Corwin			

Nays, none.

Absent or not voting, 23:

Anderson	Fisch	Malone	Schmidt
Aschenbrenner	Goetsch	McArthur	Shangle
Bell of Crawford	Grunewald	Millhone	Stanley
Billingsley	Harrington	Nelson	Stevens of
Byers	Irwin	Parker	Decatur
Doze	Kimberly	Roelofs	Valentine

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

By unanimous consent granted Senator Pendray, the rules were suspended and Senate File 255, a bill for an act to amend sections forty-four hundred eighty-eight (4488) and forty-five hundred seven (4507), Code of 1931, relating to interest of the permanent school fund, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend section one (1), line 3, by striking the words "four and one-half" and inserting in lieu thereof the word "four."

Amend section two (2), line 3, by striking the word "four," and inserting in lieu thereof the words "three and one-half."

By unanimous consent granted Senator Hush, it was ordered that the word "of" in the last line of the title be changed to the word "on."

The bill was read for information.

Senator Pendray moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 27:

Baldwin	Dewey	Hush	Patterson
Beardsley	Donohue	Husted	Pendray
Bell of	Doze	Knudson	Reese
Des Moines	Driscoll	Mason	Shaw
Berg	Elthon	Meyer	Stevens of
Calhoun	Geske	Miller	Wapello
Chrystal	Hopkins	Mullaney	Wilson
Corwin			

Nays, none.

Absent or not voting, 23:

Anderson	Goetsch	Malone	Schmidt
Aschenbrenner	Grunewald	Millhone	Shangle
Bell of	Harrington	Moore	Stanley
Crawford	Irwin	Nelson	Stevens of
Billingsley	Kimberly	Parker	Decatur
Byers	McArthur	Roelofs	Valentine
Fisch			

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

By unanimous consent granted Senator Husted, the rules were suspended and Senate File 359, a bill for an act to amend section seventy-two hundred forty-four (7244), Code of Iowa, 1931, relating to tax sales, was taken up and considered.

The bill was read for information.

Senator Husted moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 26:

Baldwin	Corwin	Hush	Patterson
Beardsley	Dewey	Husted	Pendray
Bell of	Donohue	Knudson	Reese
Des Moines	Driscoll	Mason	Shaw
Berg	Elthon	Meyer	Stevens of
Calhoun	Geske	Miller	Wapello
Chrystal	Hopkins	Mullaney	Wilson

Nays, none.

Absent or not voting, 24:

Anderson	Goetsch	Malone	Schmidt
Aschenbrenner	Grunewald	Millhone	Shangle
Bell of Crawford	Harrington	Moore	Stanley
Billingsley	Irwin	Nelson	Stevens of
Byers	Kimberly	Parker	Decatur
Doze	McArthur	Roelofs	Valentine
Fisch			

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

By unanimous consent granted Senator Hush, the rules were suspended and Senate File 229, a bill for an act to amend section twelve thousand three hundred and eighty-five (12385), Code of 1931, relating to release by the mortgagee after satisfaction of chattel mortgages and the penalty for the failure to release such mortgages, with report of committee returning the bill without recommendation, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

ACTION ON SENATE FILE 229 DEFERRED

By unanimous consent granted Senator Hush, it was ordered that action on Senate File 229 be deferred.

HOUSE MESSAGES CONSIDERED

House File 218, a bill for an act to authorize and empower the board of supervisors of certain counties to buy and lease land for the purpose of operating thereon limestone quarries; to operate limestone quarries in whole or in part with labor furnished from the relief rolls of said county for the purpose of furnishing relief employment; to purchase and operate machinery adapted to the production of agricultural lime, and to produce and sell said agricultural lime only within said county.

The bill was read first and second times and referred to committee on county and township affairs.

House File 239, a bill for an act to amend chapter one hundred thirty-two (132), Code of Iowa, 1931, relating to veterinary medicine and surgery and the illegal practice of veterinary medicine, surgery or dentistry without a license, providing that any person so engaged may be restrained by permanent injunction, and making it the duty of the attorney general and county attorney to institute and prosecute said proceedings.

The bill was read first and second times and referred to committee on emergency legislation.

House File 248, a bill for an act to legalize an election held in Norway township, Humboldt county, Iowa, on the 6th day of November, 1934, relating to the purchase and maintenance jointly

with the incorporated town of Thor, Iowa, certain fire apparatus and equipment; to purchase real estate and build a building thereon jointly with said incorporated town and to levy a tax therefor.

The bill was read first and second times and referred to committee on judiciary No. 1.

House File 249, a bill for an act to legalize an election held in the incorporated town of Thor, Humboldt county, Iowa, on the 29th day of October, 1934, relating to the purchase and maintenance jointly with Norway township, certain fire apparatus and equipment; to purchase real estate and build a building thereon jointly with said township authorities and levy a tax therefor and issue bonds.

The bill was read first and second times and referred to committee on judiciary No. 1.

House File 250, a bill for an act to make permanent a temporary transfer of funds in Appanoose county, Iowa, from the bovine tuberculosis fund to the pauper fund of said county.

The bill was read first and second times and referred to committee on judiciary No. 1.

House File 269, a bill for an act to amend section five thousand thirty-nine (5039), Code, 1931, relating to brakes on motor vehicles when in use on public highways.

The bill was read first and second times and referred to committee on motor vehicles.

House File 270, a bill for an act to define and regulate the installation of compressed gas systems.

The bill was read first and second times and referred to committee on cities and towns.

House File 287, a bill for an act to legalize the corporate acts of the directors and officers of the Farmers Elevator Company, Northwood, Iowa, and to restore the corporate status of such company.

The bill was read first and second times and referred to committee on judiciary No. 1.

SENATE FILE 301 WITHDRAWN

By unanimous consent granted Senator Meyer, it was ordered that Senate File 301 be withdrawn from further consideration of the Senate.

AMENDMENTS FILED

Amend Senate File 320, section one (1), as follows:

Further amend section six (6) of chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session by adding to division b thereof, the following:

"All beer sold in the state of Iowa must be in the 'original brewery container,' and no person, firm, or corporation shall bottle beer within the state of Iowa, except breweries holding a state permit in accordance with the provisions of this act."

Further amend Senate File 320, by inserting the following:

"Sec. 12. There shall be levied and collected by the treasurer of the state of Iowa, on all beer sold within the state of Iowa, an inspection fee at the rate of one (1) cent per gallon for the purpose of enforcing the collection of taxes due the state of Iowa, under the provisions of section of this act, and for the further purpose of aiding the treasurer of the state of Iowa, in the inspection of beer sold in the state of Iowa, so as to determine that the same contains the required per cent of sixty-six and two-thirds (66 $\frac{2}{3}$) of pure barley malt and does not exceed four (4) per cent of alcoholic contents by weight; provided, however, that any manufacturer of beer in this state who shall have during the current year paid for the manufacturer's permit issued under this act, shall be exempt from payment of such inspection fee.

"Sec. 13. The treasurer of the state of Iowa, shall have printed such inspection labels as he deems suitable and necessary, and is hereby empowered to make such other rules and regulations as he deems advisable for enforcing the provisions of section twelve (12) of this act.

"Sec. 14. The treasurer of the state of Iowa shall furnish inspection labels without additional charge to all persons, firms, or corporations shipping beer into the state of Iowa, for sale or resale, who have paid the inspection fee as provided in this act, and such person, firm or corporation, shall cause said labels to be affixed to the various containers of beer, according to the prescribed inspection fee before said beer is shipped into the state of Iowa.

"Sec. 15. The treasurer of the state of Iowa, shall furnish the inspection labels without charge therefor to any manufacturer of beer of the state of Iowa, who shall have during the current year paid for a manufacturer's permit issued under the provisions of this act.

"Sec. 16. No beer shall be offered for sale or be in the possession of any permittee in the state of Iowa, without inspection labels being affixed to the containers. Such inspection labels shall be affixed across the top and side of all cases of bottled beer so that when said case is opened the label will be broken. Said labels shall further be placed on all kegs containing beer sold within the state of Iowa, and shall be cancelled at the

time of withdrawal of the beer from said container. No out-state manufacturer shall ship any beer into the state of Iowa, in any container without first having destroyed or defaced any old Iowa inspection label previously affixed to said container and no Iowa manufacturer shall receive any container into his licensed premises upon which any old Iowa inspection label has been affixed without destroying or defacing said label.

"Sec. 17. All truck drivers transporting beer in the state of Iowa, that is consigned to permittees in the state of Iowa shall carry duplicate copies of bills of lading and invoices to be presented upon demand of the treasurer of state or his authorized representative, or upon demand of any peace officer of the state of Iowa.

"Sec. 18. Every brewer or other person shipping beer from out of state into the state of Iowa for sale, and every Iowa brewer shall on or before the tenth (10) day of each calendar month make a report under oath to the treasurer of the state of Iowa, upon forms to be furnished by him, for such purpose, showing the exact number of barrels or fractional parts thereof, sold and delivered to class 'A' permittees during the preceding calendar month, and shall further show the ingredients of said beer and state that said beer contained the required per cent of sixty-six and two-thirds (66 $\frac{2}{3}$) of pure barley malt, and did not contain more than four (4) per cent of alcohol by weight; and every Iowa brewer shall further show the number of barrels, or fractional parts thereof, sold within the state of Iowa, and shall also show the reading of the government meter for the period of time contained in the report.

"Sec. 19. The treasurer of state of the state of Iowa, or his authorized representatives, shall at any time have access to the records of any permittee and of any manufacturer of beer sold or offered for sale within the state of Iowa, for the purpose of determining the ingredients of said beer and determining the amount of tax due and owing to the state of Iowa."

Further amend Senate File 320 by renumbering the remaining sections.

CHRIS REESE.

REPORTS OF COMMITTEES

Senator Moore submitted the following report:

MR. PRESIDENT: Your committee on public health to which was referred House File 203, a bill for an act to amend section two thousand four hundred forty-seven (2447), Code of Iowa, 1931, so it shall not apply to dentists and dental hygienists; and to amend section two thousand four hundred ninety-two (2492), Code of Iowa, 1931, so it shall not permit acts of unprofessional conduct by dentists and dental hygienists; and to amend section two thousand four hundred ninety-three (2493), Code of Iowa, 1931, so as to include other acts of unprofessional conduct on the part of dentists and dental hygienists as hereinafter provided; and to amend chapter one hundred twenty-one (121), Title VIII, Code of Iowa, 1931, by adding thereto provisions for the expiration and renewal of licenses to practice dentistry or dental hygiene, regulations governing the department of health and the commissioner of public health relative thereto, appeal from orders of the commissioner of public health rejecting ap-

plications for renewal of such licenses, reinstatement of such former licensees whose licenses have lapsed or not been renewed, the revocation of such licenses, the defining of acts by dentists and dental hygienists which shall be "unprofessional conduct", the repeal of any acts in conflict herewith, the result of any portion of this act being unconstitutional or invalid and that this act being of immediate importance shall be effective upon publication as provided by law, begs leave to report it has had the same under consideration and recommends the same do pass.

M. MOORE, *Chairman*.

Ordered passed on file.

Senator Wilson submitted the following report:

MR. PRESIDENT: Your committee on cities and towns, to which was referred House File 173, a bill for an act declaring a state and national emergency to exist affecting the service trades within the state of Iowa, declaring the necessity for ordinances providing for fair competition among service trades; declaring this act an emergency measure; authorizing councils of cities, including special charter cities, and towns within their respective jurisdictions to enact or repeal such ordinances providing for fair competition among those trades wherein services are rendered to the public without the sale of merchandise as such except as a mere incident to such service; providing for application to the governing body of cities, including special charter cities, and towns for the establishment of ordinances providing for fair competition, and providing a penalty for violation of provisions of ordinances so adopted, begs leave to report it has had the same under consideration and returns the bill without recommendation.

GEORGE A. WILSON, *Chairman*.

Ordered passed on file.

Senator Elthon moved that the Senate recess until 1:30 p. m.

As a substitute, Senator Hopkins moved that the Senate adjourn until 9:30 a. m., Monday, April 8th.

The motion to substitute prevailed and the substitution was made. The substitute motion prevailed and the Senate adjourned until 9:30 a. m., Monday, April 8th.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 8, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. John F. Rex, pastor of the M. E. church at Guthrie Center.

The Journal of April 6, 1935 was approved.

PETITIONS AND MEMORIALS

The following petitions were received and filed, to be referred to the designated committees:

Senator Hopkins, from residents of Guthrie county, oppsing the tax on the chain stores doing business in the state. Committee on cities and towns.

Senator Berg, from residents of Black Hawk and Grundy counties, opposing Senate File 302. Committee on motor vehicles.

Senator Millhone, from residents of Page county, opposing Senate File 302. Committee on motor vehicles.

Senator Bell of Crawford, from residents of Crawford county, opposing the tax on the chain stores doing business in the state. Committee on cities and towns.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had signed Senate Files 125, 203, 289, and Senate Joint Resolution 7, on April 5, 1935.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 20, 35, House Files 79 and 174.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 20, 35, House Files 79 and 174.

BILLS SENT TO THE GOVERNOR

Senator Calhoun, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 8th day of April, 1935, sent to the Governor for his approval Senate Files 20 and 35. JOHN N. CALHOUN, *Chairman.*

Passed on file.

CALL OF THE SENATE FILED

The undersigned Senators request a call of the Senate for the consideration of Senate File 198, April 8, 1935.

VINCENT F. HARRINGTON.

I. G. CHRYSTAL.

H. C. BALDWIN.

G. E. ROELOFS.

JOHN K. VALENTINE.

E. P. DONOHUE.

FRANK M. STEVENS.

CHRIS REESE.

L. T. SHANGLE.

E. I. MASON.

J. E. DOZE.

T. F. DRISCOLL.

H. J. GRUNEWALD.

WM. MCARTHUR.

THIRD READING OF BILLS

By unanimous consent granted Senator McArthur, the rules were suspended and Senate File 208, a bill for an act to repeal sections twenty-nine hundred forty-seven (2947), twenty-nine hundred fifty-two (2952), Code, 1931, relating to employees of the state dairy association and beef cattle producers association, was taken up and considered.

The bill was read for information.

Senator McArthur moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 31:

Baldwin	Donohue	Hopkins	Millhone
Beardsley	Doze	Hush	Patterson
Bell of Crawford	Driscoll	Husted	Pendray
Bell of	Elthon	Irwin	Roelofs
Des Moines	Fisch	Kimberly	Shangle
Byers	Geske	Malone	Shaw
Chrystal	Grunewald	McArthur	Stevens of
Corwin	Harrington	Meyer	Decatur
Dewey			

Nays, 1:

Goetsch

Absent or not voting, 18:

Anderson	Knudson	Nelson	Stevens of
Aschenbrenner	Mason	Parker	Wapello
Berg	Miller	Reese	Valentine
Billingsley	Moore	Schmidt	Wilson
Calhoun	Mullaney	Stanley	

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

By unanimous consent granted Senator Stanley, the rules were suspended and Senate File 327, a bill for an act to amend chapter nine (9), Code, 1931, relating to the general land office of the state of Iowa; the duties of the secretary of state in relation thereto; the transfer of certain maps, records and surveys thereto; and the preservation of records therein, was taken up and considered.

The bill was read for information.

Senator Stanley moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 38:

Bell of	Doze	Husted	Patterson
Des Moines	Driscoll	Irwin	Pendray
Berg	Elthon	Kimberly	Roelofs
Billingsley	Fisch	Malone	Shangle
Byers	Geske	Mason	Shaw
Calhoun	Goetsch	McArthur	Stanley
Chrystal	Grunewald	Meyer	Stevens of
Corwin	Harrington	Miller	Decatur
Dewey	Hopkins	Millhone	Valentine
Donohue	Hush	Moore	Wilson

Nays, none.

Absent or not voting, 12:

Anderson	Bell of Crawford	Nelson	Schmidt
Aschenbrenner	Knudson	Parker	Stevens of
Baldwin	Mullaney	Reese	Wapello
Beardsley			

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

By unanimous consent granted Senator Valentine, the rules were suspended and Senate File 288, a bill for an act to amend, revise and codify chapter eighty-nine (89) of the Code of Iowa, 1931, relating to the practice of professional engineering and land surveying; creating a board of engineering examiners and defining the duties and qualifications of the members of such board; defining the terms "professional engineering" and "land surveying;" and providing for the examination and registration of persons engaged in the practice of professional engineering and land surveying; and providing penalty for violations of this act, was taken up and considered.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 40:

Baldwin	Doze	Kimberly	Patterson
Beardsley	Driscoll	Knudson	Pendray
Bell of Crawford	Elthon	Malone	Roelofs
Bell of	Fisch	Mason	Schmidt
Des Moines	Geske	McArthur	Shangle
Berg	Goetsch	Meyer	Shaw
Billingsley	Grunewald	Miller	Stanley
Byers	Harrington	Millhone	Stevens of
Calhoun	Hopkins	Moore	Decatur
Corwin	Husted	Parker	Valentine
Dewey	Irwin		

Nays, none.

Absent or not voting, 10:

Anderson	Donohue	Nelson	Stevens of
Aschenbrenner	Hush	Reese	Wapello
Chrystal	Mullaney		Wilson

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

By unanimous consent granted Senator Billingsley, the rules were suspended and Senate File 95, a bill for an act to provide for a naval militia to be known as the Iowa naval militia and to provide for the government and discipline thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Billingsley moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 20:

Baldwin	Chrystal	Driscoll	McArthur
Berg	Corwin	Harrington	Meyer
Billingsley	Dewey	Irwin	Millhone
Byers	Donohue	Kimberly	Parker
Calhoun	Doze	Knudson	Schmidt

Nays, 22:

Beardsley	Geske	Malone	Roelofs
Bell of Crawford	Goetsch	Mason	Shangle
Bell of Des Moines	Grunewald	Miller	Shaw
Elthon	Hopkins	Moore	Stanley
Fisch	Hush	Nelson	Stevens of Decatur
	Husted	Pendray	

Absent or not voting, 8:

Anderson	Patterson	Stevens of Wapello	Valentine
Aschenbrenner	Reese		Wilson
Mullaney			

Rule 8 was invoked.

The bill not having received a constitutional majority was declared to have failed to pass the Senate.

Senator Fisch asked unanimous consent that the Senate take up and consider bills by the committee on claims. Objections were raised and the request denied.

On motion of Senator Elthon, the following bills by the committee on claims were called up:

Senate File 303, a bill for an act to make an appropriation to

Craig Miller, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 42:

Baldwin	Dewey	Hush	Moore
Beardsley	Donohue	Husted	Nelson
Bell of Crawford	Doze	Irwin	Patterson
Bell of	Driscoll	Kimberly	Pendray
Des Moines	Elthon	Knudson	Schmidt
Berg	Fisch	Malone	Shaw
Billingsley	Geske	Mason	Stanley
Byers	Goetsch	McArthur	Stevens of
Calhoun	Grunewald	Meyer	Decatur
Chrystal	Harrington	Miller	Valentine
Corwin	Hopkins	Millhone	Wilson

Nays, 1:

Shangle

Absent or not voting, 7:

Anderson	Mullaney	Reese	Stevens of
Aschenbrenner	Parker	Roelofs	Wapello

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

Senate File 304, a bill for an act to make an appropriation to Ralph Foster, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 39:

Aschenbrenner	Bell of Crawford	Berg	Corwin
Baldwin	Bell of	Calhoun	Dewey
Beardsley	Des Moines	Chrystal	Donohue

Doze	Harrington	Mason	Patterson
Driscoll	Hush	McArthur	Pendray
Elthon	Husted	Meyer	Roelofs
Fisch	Irwin	Miller	Shaw
Geske	Kimberly	Millhone	Stanley
Goetsch	Knudson	Moore	Valentine
Grunewald	Malone	Nelson	Wilson

Nays, 1:

Shangle

Absent or not voting, 10:

Anderson	Hopkins	Reese	Stevens of
Billingsley	Mullaney	Schmidt	Wapello
Byers	Parker	Stevens of	
		Decatur	

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

Senate File 305, a bill for an act to make an appropriation to Robert Hall, the Anderson Auto Exchange, and Roy Veldhuizen, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 36:

Aschenbrenner	Driscoll	Irwin	Patterson
Beardsley	Elthon	Kimberly	Pendray
Bell of Crawford	Fisch	Malone	Roelofs
Bell of	Geske	Mason	Shaw
Des Moines	Goetsch	McArthur	Stanley
Calhoun	Grunewald	Meyer	Stevens of
Corwin	Harrington	Miller	Decatur
Dewey	Hopkins	Millhone	Valentine
Donohue	Hush	Nelson	Wilson
Doze	Husted		

Nays, 1:

Shangle

Absent or not voting, 13:

Anderson	Byers	Mullaney	Schmidt
Baldwin	Chrystal	Parker	Stevens of
Berg	Knudson	Reese	Wapello
Billingsley	Moore		

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

Senate File 306, a bill for an act to make an appropriation to C. A. Lenz, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 38:

Aschenbrenner	Driscoll	Irwin	Nelson
Beardsley	Elthon	Kimberly	Patterson
Bell of Crawford	Fisch	Knudson	Pendray
Berg	Geske	Malone	Shaw
Byers	Goetsch	Mason	Stanley
Calhoun	Grunewald	McArthur	Stevens of
Corwin	Harrington	Meyer	Decatur
Dewey	Hopkins	Miller	Valentine
Donohue	Hush	Millhone	Wilson
Doze	Husted	Moore	

Nays, 1:

Shangle

Absent or not voting, 11:

Anderson	Billingsley	Parker	Schmidt
Baldwin	Chrystal	Reese	Stevens of
Bell of	Mullaney	Roelofs	Wapello
Des Moines			

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

Senate File 307, a bill for an act to make appropriation to E. A. Summerville, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 37:

Aschenbrenner	Donohue	Husted	Nelson
Baldwin	Driscoll	Irwin	Parker
Beardsley	Elthon	Kimberly	Pendray
Bell of Crawford	Fisch	Malone	Shaw
Berg	Geske	Mason	Stanley
Billingsley	Goetsch	McArthur	Stevens of
Byers	Grunewald	Meyer	Decatur
Calhoun	Harrington	Miller	Valentine
Corwin	Hopkins	Millhone	Wilson
Dewey	Hush		

Nays, 1:

Shangle

Absent or not voting, 12:

Anderson	Doze	Patterson	Schmidt
Bell of	Knudson	Reese	Stevens of
Des Moines	Moore	Roelofs	Wapello
Chrystal	Mullaney		

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

Senate File 308, a bill for an act to make an appropriation to Lee Hurlburt, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 39:

Aschenbrenner	Doze	Husted	Parker
Baldwin	Driscoll	Irwin	Pendray
Bell of Crawford	Elthon	Kimberly	Reese
Bell of	Fisch	Knudson	Roelofs
Des Moines	Geske	Mason	Shaw
Berg	Goetsch	McArthur	Stanley
Byers	Grunewald	Meyer	Stevens of
Calhoun	Harrington	Miller	Decatur
Corwin	Hopkins	Millhone	Valentine
Dewey	Hush	Nelson	Wilson
Donohue			

Nays, 1:

Shangle

Absent or not voting, 10:

Anderson	Chrystal	Mullaney	Stevens of
Beardsley	Malone	Patterson	Wapello
Billingsley	Moore	Schmidt	

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

Senate File 309, a bill for an act to make appropriation to James Knox, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 38:

Aschenbrenner	Corwin	Hush	Parker
Baldwin	Dewey	Husted	Pendray
Beardsley	Donohue	Kimberly	Reese
Bell of Crawford	Doze	Knudson	Roelofs
Bell of	Elthon	Mason	Shaw
Des Moines	Fisch	McArthur	Stanley
Berg	Geske	Meyer	Stevens of
Billingsley	Goetsch	Miller	Decatur
Byers	Grunewald	Millhone	Valentine
Calhoun	Hopkins	Nelson	Wilson

Nays, 1:

Shangle

Absent or not voting, 11:

Anderson	Harrington	Moore	Schmidt
Chrystal	Irwin	Mullaney	Stevens of
Driscoll	Malone	Patterson	Wapello

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

Senate File 310, a bill for an act to make appropriation to Ethel Conner Carlson, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 34:

Aschenbrenner	Fisch	Knudson	Schmidt
Baldwin	Geske	McArthur	Shaw
Bell of Crawford	Goetsch	Miller	Stanley
Bell of	Grunewald	Millhone	Stevens of
Des Moines	Harrington	Nelson	Decatur
Berg	Hopkins	Parker	Stevens of
Calhoun	Hush	Patterson	Wapello
Corwin	Husted	Pendray	Valentine
Dewey	Kimberly	Reese	Wilson
Elthon			

Nays, 9:

Beardsley	Driscoll	Mason	Moore
Billingsley	Malone	Meyer	Shangle
Doze			

Absent or not voting, 7:

Anderson	Chrystal	Irwin	Roelofs
Byers	Donohue	Mullaney	

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

Senate File 311, a bill for an act to make an appropriation to H. J. Goerner, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 42:

Aschenbrenner	Doze	Kimberly	Patterson
Baldwin	Driscoll	Knudson	Pendray
Beardsley	Elthon	Malone	Reese
Bell of Crawford	Fisch	Mason	Schmidt
Bell of	Geske	McArthur	Shangle
Des Moines	Goetsch	Meyer	Shaw
Berg	Grunewald	Miller	Stanley
Calhoun	Harrington	Millhone	Stevens of
Chrystal	Hopkins	Moore	Wapello
Corwin	Hush	Nelson	Valentine
Dewey	Husted	Parker	Wilson

Nays, none.

Absent or not voting, 8:

Anderson	Donohue	Mullaney	Stevens of
Billingsley	Irwin	Roelofs	Decatur
Byers			

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

Senate File 312, a bill for an act to make an appropriation to J. T. Davenport, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 40:

Aschenbrenner	Driscoll	Malone	Reese
Baldwin	Elthon	Mason	Schmidt
Beardsley	Fisch	McArthur	Shaw
Bell of	Geske	Meyer	Stanley
Des Moines	Goetsch	Miller	Stevens of
Berg	Grunewald	Millhone	Decatur
Byers	Harrington	Moore	Stevens of
Calhoun	Hopkins	Nelson	Wapello
Corwin	Hush	Parker	Valentine
Dewey	Kimberly	Patterson	Wilson
Doze	Knudson	Pendray	

Nays, 1:

Shangle

Absent or not voting, 9:

Anderson	Chrystal	Husted	Mullaney
Bell of Crawford	Donohue	Irwin	Roeloffs
Billingsley			

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

Senate File 313, a bill for an act to make an appropriation to W. B. King, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 34:

Aschenbrenner	Elthon	Knudson	Patterson
Baldwin	Fisch	Malone	Pendray
Bell of	Geske	Mason	Reese
Des Moines	Goetsch	McArthur	Roelofs
Berg	Grunewald	Meyer	Shaw
Byers	Harrington	Millhone	Stanley
Corwin	Hush	Moore	Valentine
Dewey	Irwin	Nelson	Wilson
Driscoll	Kimberly	Parker	

Nays, 5:

Doze	Husted	Shangle	Stevens of
Hopkins			Decatur

Absent or not voting, 11:

Anderson	Billingsley	Donohue	Schmidt
Beardsley	Calhoun	Miller	Stevens of
Bell of Crawford	Chyrstal	Mullaney	Wapello

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

Senate File 314, a bill for an act to make an appropriation to Muscatine county, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 41:

Aschenbrenner	Doze	Irwin	Patterson
Bell of Crawford	Driscoll	Kimberly	Pendray
Bell of	Elthon	Knudson	Roelofs
Des Moines	Fisch	Malone	Shangle
Berg	Geske	Mason	Shaw
Billingsley	Goetsch	McArthur	Stanley
Byers	Grunewald	Meyer	Stevens of
Calhoun	Harrington	Miller	Decatur
Corwin	Hopkins	Millhone	Valentine
Dewey	Hush	Nelson	Wilson
Donohue	Husted	Parker	

Nays, none.

Absent or not voting, 9:

Anderson	Chyrstal	Reese	Stevens of
Baldwin	Moore	Schmidt	Wapello
Beardsley	Mullaney		

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

Senate File 315, a bill for an act to make an appropriation to Herman Jordan and Will Ager, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 37:

Aschenbrenner	Driscoll	Kimberly	Pendray
Bell of Crawford	Elthon	Knudson	Roelofs
Bell of Des Moines	Fisch	Malone	Shangle
Berg	Geske	Mason	Shaw
Billingsley	Goetsch	McArthur	Stanley
Calhoun	Grunewald	Meyer	Stevens of Decatur
Corwin	Hopkins	Millhone	Valentine
Dewey	Hush	Moore	Wilson
Doze	Husted	Parker	
	Irwin	Patterson	

Nays, none.

Absent or not voting, 13:

Anderson	Chrystal	Mullaney	Schmidt
Baldwin	Donohue	Nelson	Stevens of Wapello
Beardsley	Harrington	Reese	
Byers	Miller		

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

Senate File 316, a bill for an act to make an appropriation to Doris Sovereign, and W. H. Bongartz, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 36:

Aschenbrenner	Elthon	Knudson	Parker
Bell of Crawford	Fisch	Malone	Pendray
Bell of	Geske	Mason	Roelofs
Des Moines	Goetsch	McArthur	Shaw
Berg	Grunewald	Meyer	Stanley
Billingsley	Harrington	Miller	Stevens of
Calhoun	Hopkins	Millhone	Decatur
Corwin	Hush	Moore	Valentine
Dewey	Irwin	Nelson	Wilson
Driscoll	Kimberly		

Nays, 1:

Shangle

Absent or not voting, 13:

Anderson	Chrystal	Mullaney	Schmidt
Baldwin	Donohue	Patterson	Stevens of
Beardsley	Doze	Reese	Wapello
Byers	Husted		

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

Senate File 317, a bill for an act to make an appropriation to Charles Hazen, J. F. Hollingsworth, O. P. M. Criley, and the Sunshine Store, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 38:

Aschenbrenner	Donohue	Irwin	Patterson
Bell of Crawford	Doze	Kimberly	Pendray
Bell of	Driscoll	Knudson	Reese
Des Moines	Elthon	Malone	Roelofs
Berg	Fisch	Mason	Shaw
Billingsley	Goetsch	McArthur	Stanley
Byers	Grunewald	Meyer	Stevens of
Calhoun	Harrington	Miller	Decatur
Corwin	Hopkins	Millhone	Valentine
Dewey	Hush	Parker	Wilson

Nays, 1:

Shangle

Absent or not voting, 11:

Anderson	Chrystal	Moore	Schmidt
Baldwin	Geske	Mullaney	Stevens of
Beardsley	Husted	Nelson	Wapello

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

Senate File 318, a bill for an act to make an appropriation to John F. Fischer, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 42:

Aschenbrenner	Donohue	Irwin	Parker
Baldwin	Doze	Kimberly	Patterson
Beardsley	Driscoll	Knudson	Pendray
Bell of Crawford	Elthon	Malone	Roelofs
Bell of Des Moines	Fisch	Mason	Schmidt
Berg	Geske	McArthur	Shaw
Byers	Goetsch	Meyer	Stanley
Calhoun	Grunewald	Miller	Stevens of
Corwin	Harrington	Millhone	Decatur
Dewey	Hush	Moore	Valentine
	Husted	Nelson	Wilson

Nays, 3:

Billingsley	Hopkins	Shangle
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Absent or not voting, 5:

Anderson	Mullaney	Reese	Stevens of
Chrystal			Wapello

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

Senate File 319, a bill for an act to make an appropriation to A. C. Green and Hans Boeck, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered

the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 42:

Aschenbrenner	Donohue	Husted	Parker
Baldwin	Doze	Irwin	Patterson
Beardsley	Driscoll	Kimberly	Pendray
Bell of Crawford	Elthon	Knudson	Roelofs
Bell of	Fisch	Malone	Schmidt
Des Moines	Geske	Mason	Shaw
Berg	Goetsch	McArthur	Stanley
Billingsley	Grunewald	Meyer	Stevens of
Calhoun	Harrington	Miller	Decatur
Corwin	Hopkins	Millhone	Valentine
Dewey	Hush	Nelson	Wilson

Nays, 1:

Shangle

Absent or not voting, 7:

Anderson	Chrystal	Mullaney	Stevens of
Byers	Moore	Reese	Wapello

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

Senate File 323, a bill for an act to make an appropriation to John H. Mitchell and Garritt E. Roelofs, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 40:

Baldwin	Driscoll	Irwin	Nelson
Beardsley	Elthon	Kimberly	Parker
Bell of Crawford	Fisch	Knudson	Patterson
Berg	Geske	Malone	Pendray
Billingsley	Goetsch	Mason	Schmidt
Calhoun	Grunewald	McArthur	Shangle
Corwin	Harrington	Meyer	Shaw
Dewey	Hopkins	Miller	Stanley
Donohue	Hush	Millhone	Valentine
Doze	Husted	Moore	Wilson

Nays, none.

Absent or not voting, 10:

Anderson	Byers	Reese	Stevens of
Aschenbrenner	Chrystal	Roelofs	Wapeilc
Bell of	Mullaney	Stevens of	
Des Moines		Decatur	

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

The proper time having arrived, Senate File 198, a bill for an act to suppress the evil of unlicensed and unregulated sales of wines and spirits by licensing and regulating the sale thereof by reputable persons under local option and high license, and punishing offenses against the act; and to amend chapter twenty-four (24) of the acts of the Forty-fifth Extraordinary Session of the General Assembly relating to sale and control of liquor and for the promotion of temperance, and to provide for the issuance by the State Liquor Commission of licenses to sell wines and spirits by the drink to be consumed on the premises where sold, in cities and towns where vote was against repeal of the Eighteenth Amendment to the Constitution, only after vote of majority of said electors; for such licenses without such vote where vote was for repeal of said amendment; for repealing or prohibiting such licenses or authorization by majority vote of electors in any city or town, and providing the times and manner of initiating and conducting and the effect of such elections and for calling them by petition; for obtaining duration and revocation of the licenses; for the sale of wines and spirits by the State Liquor Commission to licensed licensees; for prohibiting licensees from buying wines and spirits except from the commission; for licenses to hotels, clubs, restaurants and other persons, and defining hotels, clubs, restaurants and other persons, and the four classes of licenses, and the fees therefor, and the collection thereof; for the hours of opening and closing and making sales; to provide the location of the places where such sales may be made; for regulating the manner of sale and conduct of the place; for licensees selling beer or malt liquor under conditions prescribed; for licensees giving bond and the amount and condition thereof; defining offenses against the act and fixing penalties therefor was taken up, and considered.

The bill was read for information.

On motion of Senator Valentine, the Senate recessed until 1:00 p. m.

AFTERNOON SESSION

Having recessed until 1:00 p. m., the Senate reconvened, President N. G. Kraschel presiding.

Senator Malone was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 365, by committee on emergency legislation, a bill for an act to provide for the taxation of mortgages on real property at the time of the recordation thereof.

The bill was read first and second times and placed on the calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 15, a bill for an act exempting mortgages executed after January 1, 1934.

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

Senate File 52, a bill for an act relating to larceny at nighttime.

Also: That the House has insisted upon its amendments to the following bill:

Senate File 115, a bill for an act to consolidate the fish and game commission and board of conservation, and requests the naming of a conference committee.

The House has named as its conferees: Freeburn of Scott, Goode of Davis, Moore of Harrison and Fuelling of Clayton.

VIRGIL LEKIN, *Chief Clerk.*

CONFERENCE COMMITTEE ON SENATE FILE 115

The President appointed as the Senate members of the conference committee on Senate File 115, Senators Stevens of Wapello, Chrystal, Dewey and Corwin.

CONSIDERATION OF SENATE FILE 198 RESUMED

A call of the Senate having been filed, a roll call revealed that all members of the Senate were present.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 198 as follows:

Amend section ninety-one (91) by striking from lines 1 and 2 the words "and towns" and substituting in lieu thereof the following: "having a population of ten thousand (10,000) or more."

Further amend said section by striking the period following the word "hereof" in line 10 and substituting in lieu thereof the following: ", except as otherwise provided herein."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend section ninety-two (92) by striking all of said section and substituting in lieu thereof the following:

"Sec. 92. Elections to establish authorized areas. Except as provided in section ninety-one (91) hereof no licenses shall be issued in cities and towns until sanction therefor shall have been given at an election held as provided in the following section.

Amend section ninety-three (93) by inserting as a new paragraph following the word and figures "Sec. 93." the following:

"In all cities and towns where the majority of the votes cast upon the repeal of the Eighteenth Amendment to the Constitution of the United States were for such repeal, licenses as provided in this act shall be issued if within sixty (60) days following the effective date of this act twenty-five (25) per cent of the electors thereof as shown by the poll books of the last preceding general election shall file with the clerk thereof a petition requesting the submission at a special election whether spirits or wines shall be sold in the manner herein provided within the limits of such municipality, the clerk shall prepare appropriate notices and a ballot which shall submit to the qualified electors of such municipality whether spirits and wines shall be sold therein, and the council shall order said question submitted to a vote at an election specially called for that purpose, all in the manner now fixed by law for the submission of public questions, provided, however, that said election shall be held within thirty (30) days following the filing of said petition. If a majority of the qualified electors voting at said election, upon such question, shall vote thereat for such sale, licenses shall be granted and exercised within the limits of said municipality for four (4) years from the date of said election; and upon renewal thereof until the authority therefor shall have been withdrawn as in this act provided."

Further amend section ninety-three (93) by striking the word and figures "ten (10)" in line 2 and inserting in lieu thereof the words and figures "twenty-five (25)."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend section ninety-four (94) by striking from line 11 the word "primary."

Further amend by striking from line 11 the word and figures "ten (10)" and inserting in lieu thereof the words and figures "twenty-five (25)."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend section ninety-five (95) by striking from lines 4 and 5 the words "forty per centum" and inserting in lieu thereof the words and figures "twenty-five (25) per cent."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and move its adoption:

Amend section ninety-six (96) by inserting following the word "the" in line 6 the word "Iowa"; by striking the word "state" in line 6, and by inserting following the word "liquor" in line 7 the word "control."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend section ninety-nine (99) by striking all after the comma in line 41, by striking all of line 42, and by striking the word "address" and the comma in line 43.

Further amend section ninety-nine (99) by striking the words "alcoholic liquor and wine" in line 45 and inserting in lieu thereof the words "wines and spirits."

Further amend section ninety-nine by striking the words "towns or" in line 53 and the words "towns or" in line 58.

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend section one hundred (100) by striking the word "inhabitants" where it appears in lines 3, 6 and 10 and inserting in lieu thereof in each of said places the word "population."

Further amend section one hundred (100) by striking the words "or town" in lines 5, 9 and 16.

Further amend section one hundred (100) by striking the words "and towns" in line 13.

Further amend section one hundred (100) by inserting following the word "and" in line 12 the following: "in cities of more than five thousand (5,000) population."

Further amend section one hundred (100) by striking the words "increase in the" in line 13 and inserting in lieu thereof the word "additional"

and by striking the words "increase of" in line 15 and inserting in lieu thereof the word "additional."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend section one hundred five (105) by striking the word "inhabitants" in lines 2, 9, 10 and 17 and inserting in lieu thereof at each of said places the word "population."

Further amend section one hundred five (105) by striking the figures "250.00" in line 6 and inserting in lieu thereof the figures "150.00", by striking the figures "500.00" in line 14 and inserting in lieu thereof the figures "250.00", and by striking the figures "750.00" in line 21 and inserting in lieu thereof the figures "500.00."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend section one hundred eight (108) by striking the word "may" in line 1 and inserting in lieu thereof the word "shall."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend section one hundred nine (109) by striking all of said section after the word "price" in line 17 and adding a period following said word.

By unanimous consent granted Senator Valentine, the amendment was corrected to refer to "line 7" rather than "line 17."

The motion prevailed and the amendment as corrected was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend section one hundred eleven (111) by striking the words "sold or" in line 13 and by inserting after the word "delivered" in line 13 the word "to."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend section one hundred sixteen (116) by striking the quotation marks in lines 6, 9, 10, 11 and 18.

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Add as a new section following section one hundred twenty-one (121) the following:

"Sec. 122. Constitutionality. If any section, subsection, clause, sentence, or phrase of this act is for any reason held to be unconstitutional and/or invalid, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act and each section, subsection, clause, sentence, or phrase hereof, irrespective of whether any one or more of the sections, subsections, clauses, sentences or phrases be declared unconstitutional and/or invalid."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend the title by striking the word "state" in line 8 and inserting in lieu thereof the word "Iowa" and by inserting the word "control" following the word "liquor" in line 8.

Further amend the title by striking all after the word "towns" in line 11, all of lines 12 and 13, and all of line 14 preceding the semicolon.

Further amend the title by striking the word "state" in line 20 and inserting in lieu thereof the word "Iowa" and by inserting the word "control" following the word "liquor" in line 20.

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 198, section ninety-nine (99), line 48, by striking the word "thereof" and substituting therefor the word "thereon."

Amend Senate File 198, section one hundred nineteen (119), line 3, by striking the word "be" and substituting therefor the word "by."

Amend Senate File 198, section one hundred nineteen (119), line 5, by striking the word "sale" and substituting therefor the word "sell."

The motion prevailed and the amendment was adopted.

Senator Driscoll offered the following amendment and moved its adoption:

Amend Senate File 198 as follows:

By striking out lines 23 to 27, inclusive, of section one hundred five (105) and by inserting in lieu thereof the following: "The amount of such annual fee shall belong to said municipality and be payable to the treasurer of said municipality at the time of the issuance of the license."

The motion prevailed and the amendment was adopted.

Senator Driscoll offered the following amendment and moved its adoption:

Amend Senate File 198 by striking all of section one hundred six (106) and renumbering the remaining sections.

As a substitute for the pending amendment, Senator Wilson offered the following amendment:

Amend Senate File 198, section one hundred six (106), line 3, by striking the words "auditor of county" and inserting in lieu thereof "city treasurer of city."

Further amend section one hundred six (106) by inserting the period in line 5 after the word "on" and striking the remainder of the section.

The motion to substitute prevailed and the substitution was made. The substitute motion prevailed and the amendment as substituted was adopted.

Senator Driscoll offered the following amendment and moved its adoption:

Amend Senate File 198 by striking from section one hundred eleven (111) all of lines 8 and 9 and all that part of line 10 ending with a period and by inserting in lieu thereof the following: "No licensee, and no employee thereof, shall knowingly sell or deliver any wines or spirits to any person when such licensee or employee has reasonable grounds to believe that said person is a minor."

The motion prevailed and the amendment was adopted.

Senator Driscoll offered the following amendment and moved its adoption:

Amend Senate File 198 by adding to section one hundred eleven (111) the following: "No licensee operating under a class D license as herein provided shall, by himself or by his employee, sell or deliver any wines or spirits on credit, and on proof of a violation of this provision the license of the offender shall be revoked."

The motion prevailed and the amendment was adopted.

Senator Byers offered the following amendment and moved its adoption:

Amend Senate File 198 as follows:

By adding at the end of section one hundred one (101) the following: "Local agents of railway companies, sleeping and dining car companies, shall be deemed to be managers, for the purposes of this act."

Further amend by inserting after section one hundred five (105) a new section as follows:

"Sec. 105-a1. Subject to the provisions of this chapter, any dining car company, sleeping car company, railroad company, or railway com-

pany, may make application to the commission for a special railway car permit and the commission may issue a permit to any such company, which shall authorize the holder thereof to keep for sale and sell on any dining car, sleeping car, buffet car or observation car, operated by such applicant in, through, or across the state of Iowa, alcoholic liquor and wines, and, subject to the provisions of this chapter, and the regulations made thereunder, to sell the same by the drink to passengers only for consumption in such cars. The application for such permit shall be in such form and contain such information as may be required by the commission. Each such permit shall be good throughout the state, as a state permit. Only one such permit shall be required for all cars operated in this state by such applicant, but a duplicate of such permit, issued as herein provided, shall be posted in each car in which such wines and liquors are sold; and no further permit shall be required or tax levied for the privilege of selling same for consumption in such cars. As a condition precedent to the issuing of any permit hereunder, the applicant shall file with the commission a bond, payable to the state of Iowa, in the sum of three thousand (3 000) dollars, which bond shall be liable for and subject to all of the conditions required for bonds of permit holders under the provisions of this chapter. The annual permit fee for special railway car permits issued hereunder, shall be one hundred (100) dollars and three (3) dollars for each duplicate thereof, which fees shall be paid to the commission. The commission shall issue duplicates of such permits, from time to time, as applied for by such companies. The holders of such special railway car permits may, but shall not be required to, purchase wines and liquors from state liquor stores. Provided, however, that the holder of any railway car permit selling any wines and liquors not purchased from a state liquor store shall pay to the commission a tax of ten (10) per cent of the gross revenue received from the sale of any such wines and liquors. Such tax shall be paid quarterly to the commission on January 1st, April 1st, July 1st and October 1st, of each year, and such permit holder shall account to the commission at the time of payment of such tax under such rules and regulations as the commission may prescribe."

The motion prevailed and the amendment was adopted.

Senator Baldwin offered the following amendment and moved its adoption:

Amend Senate File 198 by striking all of section one hundred seven (107) and inserting in lieu thereof the following:

"Sec. 107. No license for the sale of wines and spirits, as designated in this act, shall be granted or issued to any licensee until the applicant therefor has filed with the commission a bond in terms and with sureties approved by it payable to the state of Iowa in the sum of three thousand (3,000) dollars, conditioned upon the strict compliance by the licensee, his employees, and agents, with the conditions and terms upon which said license is issued, and with the laws of the state of Iowa, relating to intoxicating liquors. The surety on said bond shall be a surety or guarantee company or corporation authorized to do business as such in

the state of Iowa. Upon failure of licensee at all times to comply fully with the terms and conditions upon which said license is issued, with the terms of said bond and with the law, relating to intoxicating liquors, such bond in the full principal or penal sum thereof shall be due and payable, and said breach of the conditions on which said license was issued, or of the term of said bond, or of the liquor laws of the state of Iowa, shall cause and effect a forfeiture to the state of Iowa of said bond. Upon the failure or refusal of the principal and/or surety thereon to pay to the state the principal or penal sum of said bond upon the revocation of the license issued to the principal thereof, it shall be the duty of the attorney general in the name of the state of Iowa to institute legal action to collect the amount of said bond."

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

Amend the amendment to Senate File 198, found on page 826 of the Senate Journal, by striking the word "commission" in line 5 thereof and insert in lieu thereof the words "clerk of the municipality."

Further amend the amendment by striking from line 6 the words "state of Iowa" and insert in lieu thereof the words "where the licensee is located."

Further amend the amendment by striking from line 5 of the amendment as it appears on page 827 of the Senate Journal, the words "state of Iowa" and insert in lieu thereof the word "municipality" and further amend the amendment by striking the words "attorney general in the name of the state of Iowa" from line 9 of the amendment as found on page 827 of the Senate Journal, and insert in lieu thereof, "county attorney of the county in which the municipality is located."

The motion prevailed and the amendment to the amendment was adopted.

The motion prevailed and the amendment, as amended, was adopted.

Senator Baldwin offered the following amendment and moved its adoption:

Amend Senate File 198 in section one hundred (100) by striking all after the semicolon in line 16, by striking all of line 17, and by striking the word "hereby" in line 18, and by adding a period after the word "town" in line 16.

Further amend section one hundred (100) by adding as a new paragraph:

"Licenses issued to clubs shall not be counted in arriving at licenses authorized by this act."

By unanimous consent granted Senator Baldwin, the amendment was corrected to read that the period be inserted after the word "city" rather than the word "town" in line 16.

The motion prevailed and the amendment, as corrected, was adopted.

Senator Shangle offered the following amendment and moved its adoption:

Amend Senate File 198 as follows:

Amend section one hundred eleven (111) of said act by inserting after the comma following the word "time" in line 14, the following: "nor oftener than twice in any calendar day which sales shall be not less than six (6) hours apart."

The motion to amend was lost.

Senator Shangle offered the following amendment and moved its adoption:

Amend Senate File 198 as follows:

Amend subsection (a) of section ninety-nine (99) by inserting after the word "accommodations" in line 9, the following: "of not less than fifty (50) fully furnished sleeping rooms" and insert a comma after the word "guests" in line 10 and after the word "guests" in line 11, and strike out the word "in" in line 10.

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 24:

Anderson	Elthon	McArthur	Shangle
Aschenbrenner	Hopkins	Miller	Shaw
Beardsley	Hush	Millhone	Stanley.
Berg	Husted	Nelson	Stevens of
Calhoun	Knudson	Patterson	Wapello
Dewey	Mason	Pendray	Wilson
Doze			

Nays, 25:

Baldwin	Corwin	Harrington	Mullaney
Bell of Crawford	Donohue	Irwin	Parker
Bell of	Driscoll	Kimberly	Reese
Des Moines	Fisch	Malone	Roelofs
Billingsley	Goeske	Meyer	Schmidt
Byers	Goetsch	Moore	Valentine
Chrystal	Grunewald		

Absent or not voting, 1:

Stevens of
Decatur

The motion to amend was lost.

Senator Hopkins offered the following amendment and moved its adoption:

Amend Senate File 198 by adding as a separate section the following: "Sec. 123. All the provisions of chapter ninety-nine (99) of the Code, 1931, shall be applicable to all licensees under this act."

On motion of Senator Geske, chapter ninety-nine (99) of the Code, 1931, was read for the information of the Senate.

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 19:

Aschenbrenner	Hopkins	McArthur	Shaw
Billingsley	Hush	Millhone	Stanley
Calhoun	Husted	Nelson	Stevens of
Dewey	Knudson	Patterson	Wapello
Elthon	Mason	Pendray	Wilson

Nays, 29:

Anderson	Corwin	Harrington	Reese
Baldwin	Donohue	Irwin	Roelofs
Bell of Crawford	Doze	Kimberly	Schmidt
Bell of	Driscoll	Malone	Shangle
Des Moines	Fisch	Meyer	Stevens of
Berg	Geske	Moore	Decatur
Byers	Goetsch	Mullaney	Valentine
Chrystal	Grunewald	Parker	

Absent or not voting, 2:

Beardsley	Miller
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The motion to amend was lost.

Senator Aschenbrenner offered the following amendment and moved its adoption:

Amend Senate File 198 by striking all of section one hundred fifteen (115).

Further amend by renumbering the remaining sections.

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 12:

Aschenbrenner	Doze	Husted	Pendray
Calhoun	Hopkins	Knudson	Shaw
Dewey	Hush	Patterson	Stanley

Nays, 29:

Anderson	Bell of	Chrystal	Fisch
Baldwin	Des Moines	Corwin	Geske
Bell of Crawford	Berg	Donohue	Grunewald
	Byers	Driscoll	Harrington

Irwin	Meyer	Reese	Stevens of
Kimberly	Moore	Roelofs	Wapello
Malone	Mullaney	Schmidt	Valentine
Mason	Parker	Shangle	Wilson

Absent or not voting, 9:

Beardsley	Goetsch	Millhone	Stevens of
Billingsley	McArthur	Nelson	Decatur
Elthon	Miller		

The motion to amend was lost.

Senator Husted offered the following amendment and moved its adoption:

Amend Senate File 198 as follows:

Strike sections ninety-eight (98) to one hundred twelve (112) inclusive. Strike the first five (5) lines of section one hundred thirteen (113). Strike line 6 of section one hundred thirteen (113) and insert in lieu thereof, "Places licensed shall not."

Renumber the remaining sections.

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 17:

Aschenbrenner	Goetsch	Malone	Patterson
Beardsley	Hopkins	McArthur	Pendray
Calhoun	Hush	Millhone	Shaw
Dewey	Husted	Nelson	Stanley
Elthon			

Nays, 33:

Anderson	Corwin	Kimberly	Roelofs
Baldwin	Donohue	Knudson	Schmidt
Bell of Crawford	Doze	Mason	Shangle
Bell of	Driscoll	Meyer	Stevens of
Des Moines	Fisch	Miller	Decatur
Berg	Geske	Moore	Stevens of
Billingsley	Grunewald	Mullaney	Wapello
Byers	Harrington	Parker	Valentine
Chrystal	Irwin	Reese	Wilson

Absent or not voting, none.

Rule 8 was invoked.

The motion to amend was lost.

Senator Wilson offered the following amendment and moved its adoption:

Amend Senate File 198 by adding as section one hundred twenty-two (122), the following:

"Sec. 122. No person, under twenty-one (21) years of age, shall be

employed at any work in any place where wines and/or spirits, are sold or dispensed as contemplated by this act."

The motion prevailed and the amendment was adopted.

Senator Byers offered the following amendment and moved its adoption :

Amend the title to Senate File 198 as follows: Insert after the semi-colon following the word "place" in line 29 of the title the following: "providing for the issuance of special permits to dining car, sleeping car, railroad or railway companies authorizing the sale of wines and spirits, fixing the fee and tax for such permit and providing the conditions under which such special permits shall be issued and the conditions under which wines and spirits shall be sold by such companies;"

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption :

Amend Senate File 198 by renumbering the sections to correspond with the amendments adopted.

The motion prevailed and the amendment was adopted.

President pro tempore Harold L. Irwin took the chair at 3:35 p. m.

Senator Stevens of Wapello offered the following amendment and moved its adoption :

Amend Senate File 198, section ninety-one (91), as amended, by striking in lines 1 and 2, the words and figures "ten thousand (10,000)" and substituting in lieu thereof the words and figures "thirty-five thousand (35,000)."

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

Amend the pending amendment to Senate File 198 by striking the words and figures "thirty-five thousand (35,000)" and inserting in lieu thereof "including all cities."

Roll call was requested.

The question was, Shall the amendment to the amendment be adopted?

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

Ayes, 26:

Aschenbrenner	Doze	Miller	Shaw
Beardsley	Elthon	Millhone	Stanley
Berg	Grunewald	Moore	Stevens of
Billingsley	Hopkins	Nelson	Wapello
Calhoun	Hush	Patterson	Valentine
Dewey	Husted	Pendray	Wilson
Donohue	McArthur	Roelofs	

Nays, 24:

Anderson	Corwin	Kimberly	Parker
Baldwin	Driscoll	Knudson	Reese
Bell of Crawford	Fisch	Malone	Schmidt
Bell of	Geske	Mason	Shangle
Des Moines	Goetsch	Meyer	Stevens of
Byers	Harrington	Mullaney	Decatur
Chrystal	Irwin		

Absent or not voting, none.

The motion prevailed and the amendment to the amendment was adopted.

SENATE FILE 198 ORDERED REPRINTED

By unanimous consent granted Senator Roelofs it was ordered that Senate File 198, as amended, be reprinted.

COPIES OF SENATE FILES 361 AND 363 ORDERED

By unanimous consent granted Senator Harrington, it was ordered that 1200 copies of Senate File 361, and 2400 copies of Senate File 363, be printed.

Senator Fisch was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 366, by committee on claims, a bill for an act to make an appropriation to J. M. Vernon, Edd Scantlebury, and Miles Baier.

The bill was read first and second times and referred to the committee on appropriations.

Senate File 367, by committee on claims, a bill for an act to make an appropriation to J. N. Cree.

The bill was read first and second times and referred to the committee on appropriations.

HOUSE MESSAGES CONSIDERED

House File 15, a bill for an act to repeal chapter one hundred thirty-seven (137), acts of the Forty-fifth General Assembly, Extraordinary Session, exempting mortgages executed after January one (1), nineteen hundred thirty-four (1934), from the provisions of chapters one hundred seventy-nine (179) and one hundred eighty-two (182) acts of the Forty-fifth General Assembly.

The bill was read first and second times and referred to committee on emergency legislation.

AMENDMENTS FILED

Amend Senate File 254 as follows: By striking lines 2, 3, 4, 5, 6 and that portion of line 7 ending with the period following the word "act" and inserting in lieu thereof the following:

"Said bond shall be in such form and shall contain such terms and conditions as the commissioners may prescribe to carry out the purposes of this act, and shall be endorsed as surety by a bonding company authorized to do business in this state."
FRED W. NELSON.

Amend Senate File 320, section eleven (11), by inserting as a new paragraph after line 72 the following:

"The revenue obtained from permit fees collected under the provisions of this act shall be distributed as follows:

a. Permit fees collected under the provisions of this act by any municipality and/or county shall be retained by such municipality and/or county, and allocated to its general fund.

b. All license fees and taxes collected by the treasurer of state of the state of Iowa shall accrue to the state sinking fund for public deposits as created in chapter three hundred fifty-two-A one (352-A1), Code of Iowa, 1931.

Further amend by striking lines 73 to 77, inclusive.

G. E. ROELOFS.

M. G. FISCH.

As a substitute for all pending amendments, amend Senate File 230:

1. By striking out all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Amend chapter three hundred eighty-three (383) of the Code of Iowa of 1931, by adding the following:

(a) Any person, firm, or corporation, including municipal corporations, engaged or hereinafter engaging in the service of electric light and power to individual consumers, for residence and farm purposes, outside of cities and towns, shall be subject to regulation as to rates, charges and service.

(b) The board of railroad commissioners shall have power to fix and

determine and change, from time to time, reasonable rates and charges for service of light and power furnished for rural residence and farm purposes outside of cities and towns; to make reasonable service regulations; and to prescribe rules and regulations for meter testing and places where such testing may be done; and when it can be done without impairment of regular service, to order emergency connections between persons, firms and corporations, including municipal corporations having power and light service.

(c) The board of railroad commissioners may, on its own motion, and shall, on written complaint made by ten (10) or more bona fide rural customers, proceed to hear and determine controversies between customers and those furnishing light or power; may subpoena, swear and examine witnesses; may require the production of books, papers, records, etc., pertinent to any inquiry; and have such other powers as may be necessary for proper determination of the question involved.

(d) At least ten (10) days prior to such hearing, and before any rates, rules or regulations are made or changed by the board, it shall serve written notice on the person, firm or corporation furnishing electricity, which notice shall give the time and place of hearing, a brief statement of the matters to be considered, and when complaint has been filed a copy of said complaint, including the name of the complainant.

(e) The issues at any such hearing shall be made up and the hearing shall proceed according to such reasonable rules and regulations as the board may establish.

(f) Either the complaining party, or those furnishing light or power, may appeal from any decision or question determined by the board of railroad commissioners to the district court of Iowa, in and for any county where the controversy arose, in the manner and within the time provided by chapter four hundred seventy-four (474) of the 1931 Code of Iowa, except—

(1) That the original papers relating to the controversy and a transcript of all the evidence taken and all decisions of the said board, and/or the records of all questions determined by it, shall be filed by said board of railroad commissioners with the clerk of the district court when the appeal is perfected; and

(2) No appeal shall be perfected until the appellant shall file with the clerk of the district court to which the appeal is taken a bond conditioned to pay all costs of the original hearing and those incurred upon appeal, if the appeal is determined against the appellant."

2. By striking out the title of said Senate File 230 and substituting in lieu thereof the following:

"An act to amend chapter three hundred eighty-three (383) of the Code of 1931, to provide for the regulation of rates, service, meter testing of persons, firms and corporations, including municipal corporations furnishing electric light and power to rural residences and farm customers, outside of cities and towns; to provide for continuous service and for emergency service; and to provide for hearing and notice."

FRANK C. BYERS.

Amend Senate File 302 by striking from line 13 of section fifteen (15)

thereof the following: "one and one-half ($1\frac{1}{2}$)", and by inserting in lieu thereof the word and figure: "one (1)." FRANK C. BYERS.

On motion of Senator Beardsley the Senate adjourned until 10:00 a. m., Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 9, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. F. A. Smith, pastor of the M. E. Church at Gladbrook.

The Journal of April 8, 1935, was approved.

PETITIONS AND MEMORIALS

The following petitions favoring the tax on the so-called "chain stores" doing business in the state were received and filed, to be referred to the committee on cities and towns:

Senator Byers, from residents of Linn county; Senator Parker, from residents of Buchanan and Delaware counties; Senator Aschenbrenner, from residents of Marion and Monroe counties; Senator Anderson, from residents of Webster county; Senator Nelson, from residents of Story county.

The following petitions opposing the tax on the so-called "chain stores" doing business in the state were received and filed, to be referred to the committee on cities and towns:

Senator Shaw, from residents of Humboldt, Buena Vista, and Pocahontas counties; Senator Chrystal, from residents of Sac county; Senator Driscoll, from residents of Lee county; Senator Stevens of Decatur, from residents of Decatur county; Senator Aschenbrenner, from residents of Marion and Monroe counties; Senator Anderson, from residents of Calhoun county; Senator Nelson, from residents of Story, Hamilton, and Boone counties; Senator Dewey, from residents of Washington county.

The following petitions opposing the port of entry bill were received and filed, to be referred to the committee on motor vehicles:

Senator Aschenbrenner, from residents of Marion county; Senator Shaw, from residents of Pocahontas county; Senator Roelofs, from residents of O'Brien county.

The following petition opposing Senate File 283 was received and filed, to be referred to the committee on public welfare:

Senator Harrington, from residents of Woodbury county.

CALL OF THE SENATE FILED

The undersigned Senators request a call of the Senate for the consideration of Senate File 198, April 9, 1935.

HOWARD C. BALDWIN.

JOHN K. VALENTINE.

FRANK M. STEVENS.

J. E. DOZE.

H. J. GRUNEWALD.

WM. McARTHUR.

ROY E. STEVENS.

FRANK C. BYERS.

VINCENT HARRINGTON.

G. E. ROELOFS.

E. P. DONOHUE.

CHRIS REESE.

E. I. MASON.

T. F. DRISCOLL.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 52 and 290.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 52 and 290.

BILLS SENT TO THE GOVERNOR

Senator Calhoun, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 9th day of April, 1935, sent to the Governor for his approval Senate Files 52 and 290.

JOHN N. CALHOUN, *Chairman.*

Passed on file.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 204, a bill for an act providing actions based on notes, bonds and other written evidence shall not be maintained in courts unless listed for taxation.

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

House File 268, a bill for an act making an appropriation to the Iowa state dairy association for a state wide 4-H dairy calf club exposition.

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

Senate File 49, a bill for an act relating to nurse examiners.

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

Senate File 70, a bill for an act relating to date on which superintendent of the Iowa school for the deaf shall make reports to the state comptroller.

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

Senate File 80, a bill for an act relating to high school tuition and transportation.

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

Senate File 118, a bill for an act pertaining to investment of funds and limitation of liabilities of state banks, saving banks and trust companies.

VIRGIL LEKIN, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 80

1. Strike from section one (1) lines 1 to 10, inclusive, and substitute in lieu thereof the following:

"Section 1. Chapter forty-one (41), acts of the Forty-fifth General Assembly, Extraordinary Session, is hereby amended by adding thereto following the period in line 20 the following:"

2. Also further amend said section by inserting after the word "school" where it first appears in line 12, the words "course of instruction" and by inserting after the word "school" in line 13, the words "or normal college."

3. Amend the title by striking from lines 3 and 4 the words "so as to provide for determining the cost of transportation."

HOUSE AMENDMENTS TO SENATE FILE 118

1. Insert after section two (2) the following section:

"Sec. 3. That section ninety-one hundred eighty-three (9183) of the Code, 1931, as amended by the acts of the Forty-fifth General Assembly, Extraordinary Session, be and the same is hereby amended by adding after the word 'organization' in line 10 of subdivision six (6) thereof the following:

" , and an amount not in excess of fifteen (15) per cent of their capital stock and surplus in capital stock of any national mortgage association authorized under Title III of the national housing act approved June 27, 1934, or any amendments thereto."

2. Renumber remaining sections.

3. Amend section five (5), as renumbered, by changing the period at the end thereof to a comma and adding the following: "provided that nothing in this act shall deny equal privileges to National banks located in this state insofar as such banks now or later may be authorized by federal law to carry on federal housing administration loan work."

4. Amend the title by striking all after the word "amend" in line 1 and substituting the following:

"section ninety-one hundred eighty-three (9183), Code, 1931, as amended by the acts of the Forty-fifth General Assembly in the Extraordinary Session and section ninety-two hundred twenty-three (9223), Code, 1931, pertaining to investment of funds and limitations of liabilities of state banks, savings banks and trust companies and authorizing state banks, savings banks and trust companies to make loans pursuant to Titles I and II of the national housing act, or amendments to said act, and to invest in mortgages insured, and in debentures issued, by the federal housing administrator and to invest in capital stock and securities of national mortgage associations, or similar credit institutions; allowing equal privileges to National banks authorized by federal law to make such loans; providing rules of construction; and providing for this act to take effect from and after publication."

HOUSE MESSAGES CONSIDERED

House File 204, a bill for an act to provide that actions based on notes, bonds, contracts and other written evidence of indebtedness, shall not be maintained in the courts of this state, unless, as a condition precedent to the rendition of judgment thereon, the same shall have been listed for taxation or taxes shall have been paid, and providing for prima facie evidence of such listing and payment of taxes, and providing that unpaid taxes shall be a lien on such judgment.

The bill was read first and second times and referred to committee on emergency legislation.

House File 268, a bill for an act to make an appropriation to the Iowa State Dairy Association and to require said association to hold a state-wide 4-H Dairy Calf Club Exposition.

The bill was read first and second times and referred to committee on appropriations.

THIRD READING OF BILLS

By unanimous consent granted Senator McArthur, the rules were suspended and Senate File 343, a bill for an act to legalize

renewal of the corporate status of the Lone Rock Telephone Company of Mason City, Iowa, was taken up and considered.

The bill was read for information.

Senator McArthur was granted unanimous consent to amend Senate File 343 in section four (4), line 5, by striking the period after the word "Iowa" and insert in lieu thereof the following: " , without expense to the state."

Senator McArthur moved that the reading just had be considered the third reading and the bill as amended be placed on its passage which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 38:

Aschenbrenner	Driscoll	Mason	Roelofs
Baldwin	Fisch	McArthur	Schmidt
Beardsley	Goetsch	Meyer	Shangle
Bell of	Grunewald	Miller	Shaw
Des Moines	Hopkins	Millhone	Stanley
Berg	Hush	Moore	Stevens of
Byers	Husted	Nelson	Decatur
Calhoun	Kimberly	Parker	Stevens of
Corwin	Knudson	Patterson	Wapello
Dewey	Malone	Pendray	Wilson
Donohue			

Nays, none.

Absent or not voting, 12:

Anderson	Chrystal	Geske	Mullaney
Bell of Crawford	Doze	Harrington	Reese
Billingsley	Elthon	Irwin	Valentine

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

By unanimous consent granted Senator Doze, the rules were suspended and Senate File 300, a bill for an act to amend the law as the same appears in chapters seventy (70), seventy-one (71), seventy-two (72), Code, 1931, relating to compensation for injuries sustained arising out of and in the course of employment; providing that the right to reject the law relating to compensation for injuries sustained arising out of and in the course of employment shall not apply to the business of operating a mine and of producing coal for sale under any system of operation; making it a misdemeanor to operate a mine or do any work in connection therewith, or incident thereto, without first obtaining insurance cover-

ing compensation payments or obtaining relief therefrom; and providing injunctive process to prevent continuing such wrongful acts, was taken up and considered.

The bill was read for information.

Senator Doze moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 40:

Aschenbrenner	Dewey	Irwin	Reese
Baldwin	Doze	Kimberly	Roelofs
Beardsley	Driscoll	Knudson	Schmidt
Bell of Crawford	Elthon	Malone	Shangle
Bell of	Fisch	Mason	Shaw
Des Moines	Goetsch	Meyer	Stanley
Berg	Grunewald	Miller	Stevens of
Billingsley	Harrington	Millhone	Decatur
Byers	Hopkins	Moore	Stevens of
Calhoun	Hush	Patterson	Wapello
Corwin	Husted	Pendray	

Nays, none.

Absent or not voting, 10:

Anderson	Geske	Nelson	Valentine
Chrystal	McArthur	Parker	Wilson
Donohue	Mullaney		

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

CONSIDERATION OF SENATE FILE 144 RESUMED

By unanimous consent granted Senator Wilson, the rules were suspended and Senate File 144, a bill for an act to repeal subdivision nine (9) of section sixty-two hundred eleven (6211), Code, 1931, and to enact a substitute therefor, relating to the tax levy for fire department maintenance fund in cities and towns, including those operating under special charter, was again taken up and considered.

The bill was read for information.

Consideration of the following pending amendment by Senator Stevens of Wapello was resumed:

Amend Senate File 144 by adding after the semicolon in line 7, section

one (1), the words: "provided, however, that no levy in excess of two and one-half (2½) mills, shall be made without the approval of the state comptroller,"

as well as the following substitute amendment by Senator Wilson:

Amend Senate File 144 by adding thereto the following:

"Provided, however, that during the years 1936 and 1937 no levy in excess of two and one-half (2½) mills shall be made without the approval of the state comptroller, upon application and upon showing made to the state comptroller of a strict necessity arising from the fact that the amount of money which can otherwise be made available for the fire maintenance is inadequate."

Roll call was requested.

The question was, Shall the Wilson amendment be substituted?

On the question, Shall the Wilson amendment be substituted? the vote was:

Ayes, 32:

Anderson	Doze	Knudson	Pendray
Baldwin	Driscoll	Malone	Reese
Bell of Crawford	Goetsch	Meyer	Roelofs
Bell of	Grunewald	Miller	Schmidt
Des Moines	Harrington	Millhone	Shaw
Byers	Husted	Moore	Stanley
Calhoun	Irwin	Parker	Valentine
Chrystal	Kimberly	Patterson	Wilson
Corwin			

Nays, 6:

Berg	Hush	Stevens of	Stevens of
Dewey	Shangle	Decatur	Wapello

Absent or not voting, 12:

Aschenbrenner	Donohue	Geske	Mason
Beardsley	Elthon	Hopkins	Mullaney
Billingsley	Fisch	McArthur	Nelson

The motion to substitute prevailed and the substitution was made.

The substitute motion prevailed and the amendment, as substituted, was adopted.

Senator Wilson moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 43:

Anderson	Doze	Irwin	Patterson
Aschenbrenner	Driscoll	Kimberly	Pendray
Baldwin	Elthon	Knudson	Reese
Beardsley	Fisch	Malone	Roelofs
Bell of Crawford	Geske	McArthur	Schmidt
Bell of Des Moines	Goetsch	Meyer	Shaw
Billingsley	Grunewald	Miller	Stanley
Byers	Harrington	Millhone	Stevens of Wapello
Calhoun	Hopkins	Moore	Valentine
Corwin	Hush	Nelson	Wilson
Donohue	Husted	Parker	

Nays, 4:

Dewey	Mason	Shangle	Stevens of Decatur
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Absent or not voting, 3:

Berg	Chrystal	Mullaney
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The bill as amended having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson moved that the vote by which Senate File 144 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE 144 MESSAGED TO HOUSE

By unanimous consent granted Senator Wilson, it was ordered that Senate File 144 be messaged to the House immediately.

THIRD READING OF BILLS

By unanimous consent granted Senator Meyer, the rules were suspended and Senate File 182, a bill for an act to amend section twenty-five hundred seventy-seven (2577), Code, 1931, relating to approved schools of optometry; and prohibiting false and untruthful advertisements, was taken up and considered.

The bill was read for information.

Senator Moore offered the following amendment and moved its adoption:

Amend Senate File 182 by striking section two (2) therefrom.

The motion prevailed and the amendment was adopted.

Senator Baldwin offered the following amendment and moved its adoption:

Amend the title of Senate File 182 by striking all after the semicolon and inserting a period.

The motion prevailed and the amendment was adopted.

Senator Moore moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 36:

Anderson	Doze	Kimberly	Reese
Aschenbrenner	Driscoll	Knudson	Roelofs
Baldwin	Elthon	Malone	Schmidt
Beardsley	Fisch	Meyer	Shangle
Bell of Crawford	Geske	Miller	Shaw
Billingsley	Goetsch	Moore	Stevens of
Byers	Grunewald	Mullaney	Decatur
Calhoun	Harrington	Parker	Stevens of
Ccrwin	Hopkins	Patterson	Wapello
Dewey	Irwin		

Nays, none.

Absent or not voting, 14:

Bell of	Donohue	Mason	Stanley
Des Moines	Hush	Millhone	Valentine
Berg	Husted	Nelson	Wilson
Chrystal	McArthur	Pendray	

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

Senator Meyer moved that the vote by which Senate File 182 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

CONSIDERATION OF SENATE FILE 198 RESUMED

Senate File 198, a bill for an act to suppress the evil of unlicensed and unregulated sales of wines and spirits by licensing and regulating the sale thereof by reputable persons under local option and high license, and punishing offenses against the act; and to amend chapter twenty-four (24) of the acts of the Forty-fifth Extraordinary Session of the General Assembly relating to sale and control of liquor and for the promotion of temperance, and to provide for the issuance by the State Liquor Commission of licenses to sell wines and spirits by the drink to be consumed on the premises where sold, in cities and towns where vote was against repeal of the Eighteenth Amendment to the Constitution, only after vote of

majority of said electors; for such licenses without such vote where vote was for repeal of said amendment; for repealing or prohibiting such licenses or authorization by majority vote of electors in any city or town, and providing the times and manner of initiating and conducting and the effect of such elections and for calling them by petition; for obtaining duration and revocation of the licenses; for the sale of wines and spirits by the State Liquor Commission to licensed licensees; for prohibiting licensees from buying wines and spirits except from the commission; for licenses to hotels, clubs, restaurants and other persons, and defining hotels, clubs, restaurants and other persons, and the four classes of licenses, and the fees therefor, and the collection thereof; for the hours of opening and closing and making sales; to provide the location of the places where such sales may be made; for regulating the manner of sale and conduct of the place; for licensees selling beer or malt liquor under conditions prescribed; for licensees giving bond and the amount and condition thereof; defining offenses against the act and fixing penalties therefor, was again taken up and considered.

A call of the Senate being on file, roll call revealed all members of the Senate were present.

Senator Husted offered the following amendment as a substitute for the pending Stevens of Wapello amendment, as amended, and found on page 887 of the Senate Journal, and moved its adoption:

Amend Senate File 198 as amended as follows:

1. Strike all of section ninety-one (91) thereof.
2. Amend section ninety-two (92) by striking from line 2 thereof the words "except as provided in section ninety-one (91) hereof", and substitute a capital "N" in the word "no" for the small "n" in said line.
3. Amend section ninety-three (93) by inserting following the word "questions" in line 16 thereof the following: ", and more particularly as provided in chapter forty (40), Code, 1931."

Further amend section ninety-three (93) by inserting preceding the word "If" in line 24 thereof, as a part of the second paragraph of said section the following: "Notwithstanding the provisions of the first paragraph of this section, in all cities and towns", and by substituting a small "i" for the capital "I" in the word "if" in said line.

Further amend said section by striking the words "Of any municipality" in line 26 and substituting in lieu thereof the word "thereof."

4. Amend section ninety-four (94) by striking the words "At the expiration of" in line 1, all of line 2 and all of line 3 and inserting in lieu thereof the following: "At the."

5. Amend section ninety-five (95) by striking all of said section.

Further amend by renumbering the sections of said bill to correspond with the amendments offered above.

Roll call was requested.

The question was, Shall the substitution be made?

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

Ayes, 44:

Anderson	Doze	Kimberly	Patterson
Aschenbrenner	Driscoll	Knudson	Pendray
Baldwin	Elthon	Malone	Roelofs
Beardsley	Fisch	Mason	Schmidt
Berg	Geske	McArthur	Shaw
Billingsley	Goetsch	Meyer	Stanley
Byers	Grunewald	Miller	Stevens of
Calhoun	Harrington	Millhone	Decatur
Chrystal	Hopkins	Moore	Stevens of
Corwin	Hush	Mullaney	Wapello
Dewey	Husted	Parker	Wilson
Donohue	Irwin		

Nays, 1:

Shangle

Absent or not voting, 5:

Bell of Crawford	Bell of Des Moines	Nelson Reese	Valentine
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The motion to substitute prevailed and the substitution was made.

The substitute motion prevailed and the amendment, as substituted, was adopted.

Senator Harrington offered the following amendment and moved its adoption:

Amend Senate File 198, section ninety-three (93), line 5, by striking the word and figures "sixty (60)" and inserting in lieu thereof "one hundred twenty (120)."

The motion prevailed and the amendment was adopted.

Senator Baldwin offered the following amendment and moved its adoption:

Amend Senate File 198, section one hundred seven (107), line 5, by inserting the word "municipality" preceding the word "where."

The motion prevailed and the amendment was adopted.

Senator Malone offered the following amendment and moved its adoption:

Amend Senate File 198 as follows: By striking in line 24, section one hundred and five-A one (105-A1), the words and figures "one hundred

(100)" and inserting in lieu thereof the words and figures "five hundred (500)."

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 11:

Aschenbrenner	Dewey	Malone	Shaw
Billingsley	Elthon	McArthur	Stanley
Calhoun	Hush	Pendray	

Nays, 32:

Anderson	Donohue	Kimberly	Roelofs
Baldwin	Doze	Knudson	Schmidt
Beardsley	Driscoll	Mason	Shangle
Bell of	Fisch	Meyer	Stevens of
Des Moines	Geske	Miller	Decatur
Berg	Grunewald	Moore	Stevens of
Byers	Harrington	Mullaney	Wapello
Chyrstal	Hopkins	Parker	Valentine
Corwin	Irwin	Reese	

Absent or not voting, 7:

Bell of Crawford	Husted	Nelson	Wilson
Goetsch	Millhone	Patterson	

The motion to amend was lost.

Senator Malone offered the following amendment and moved its adoption:

Amend Senate File 198, line 6, section one hundred and seventeen (117) by striking the words "one year" and inserting in lieu thereof the words "five years."

The chair called for a division of the vote and announced the motion to amend was lost.

Senator Shangle moved that the Senate recess until 1:30 p. m.

As a substitute, Senator Stevens of Wapello moved that the Senate recess until 1:00 p. m.

The motion to substitute prevailed and the substitution was made. The substitute motion prevailed and the Senate recessed until 1:00 p. m.

AFTERNOON SESSION

Having recessed until 1:00 p. m., the Senate reconvened, President N. G. Kraschel presiding.

Senator Stevens of Wapello was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 368, by committee on appropriations, a bill for an act to authorize and direct the executive council of the state of Iowa to erect and furnish a building on the state house grounds for use by certain departments of the state government, and to levy a tax to defray the resulting expense.

The bill was read first and second times and placed on the calendar.

Senate File 369, by committee on appropriations, a bill for an act to authorize the board of control of state institutions to use from the "maintenance and establishing of industries fund," the sum of fifty thousand (50,000) dollars for the building of a hospital building and equipping the same, and the sum of four thousand (4,000) dollars for the erection of corn cribs and granaries at the men's reformatory at Anamosa, Iowa.

The bill was read first and second times and placed on the calendar.

Senate File 370, by committee on appropriations, a bill for an act to make an emergency appropriation for armory rental allowance, covering additional rental of new armories constructed in the state of Iowa since October 1, 1934.

The bill was read first and second times and placed on the calendar.

CONSIDERATION OF SENATE FILE 198 CONCLUDED

Roll call revealed the absence of Senators Aschenbrenner, Fisch, Hopkins, Roelofs and Shangle from the Senate Chamber.

On motion of Senator Harrington, deliberation on Senate File 198 proceeded with the understanding that no roll call would be taken until the absent Senators might appear in the Senate Chamber.

Senator Harrington offered the following amendment and moved its adoption:

Amend Senate File 198, section one hundred thirteen (113), lines 2

and 3, by striking all after the word "licenses" in line 2 and to and including the period in line 3 and inserting in lieu thereof the following: "between the hours of 1:00 a. m. and 7:00 a. m. of any day."

Further amend section one hundred thirteen (113), lines 4 and 5, by striking all after the letter "m" in line 4 and to and including the period in line 5 and inserting in lieu thereof the following: "nor before 7:00 a. m. of any day."

The motion prevailed and the amendment was adopted.

Senator Harrington was granted unanimous consent to correct the amendment, just adopted, in the last line to read "between the hours of 1:00 a. m. and 7:00 a. m. of any day" rather than "nor before 7:00 a. m. of any day."

Senator Billingsley offered the following amendment and moved its adoption:

Amend Senate File 198 by striking from section ninety-eight (98), line 3, the words, "and to other persons not hotels, clubs or restaurants.", and by striking the comma after the word "defined" in section ninety-eight (98), line 2, and substituting in lieu thereof a period.

Further amend by striking from section ninety-eight (98) all of lines 5 and 6 thereof.

Further amend by striking from section one hundred five (105) all of line 7, all of line 15, and all of line 22.

Further amend by striking from section one hundred eleven (111) lines 25, 26, 27 and 28.

Further amend by striking from section one hundred thirteen (113) all of lines 6 to 14 inclusive.

Further amend by striking all of section one hundred fourteen (114) and by renumbering the following sections.

The chair called for a division of the vote and announced the motion to amend was lost.

Senator Shangle offered the following amendment and moved its adoption:

Amend Senate File 198 as follows:

Amend Section one hundred eleven (111) by inserting after the comma following the word "credit" in line 27 the following: "nor to anyone except a bona fide holder of a permit to purchase intoxicating liquor issued by the Iowa liquor control commission under the provisions of chapter twenty-four (24), acts of the Forty-fifth General Assembly in Extraordinary Session, which permit shall be subject to all the provisions of said chapter in regard to permits to purchase intoxicating liquors.

Senators Aschenbrenner, Fisch, Hopkins, Roelofs and Shangle having appeared in the Senate chamber the call of the Senate was declared to be complete.

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 18:

Anderson	Hopkins	Miller	Shaw
Aschenbrenner	Hush	Millhone	Stanley
Calhoun	Husted	Nelson	Stevens of
Dewey	Knudson	Pendray	Wapello
Elthon	McArthur	Shangle	

Nays, 29:

Baldwin	Donohue	Irwin	Reese
Beardsley	Doze	Kimberly	Roelofs
Bell of Crawford	Driscoll	Malone	Schmidt
Bell of	Fisch	Mason	Stevens of
Des Moines	Geske	Meyer	Decatur
Berg	Goetsch	Moore	Valentine
Byers	Grunewald	Mullaney	Wilson
Corwin	Harrington	Parker	

Absent or not voting, 3:

Billingsley	Chrystal	Patterson
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The motion to amend was lost.

Senator Geske offered the following amendment and moved its adoption:

Amend Senate File 198 as follows:

Amend section one hundred three (103) by inserting in line 4 after the word "church" the following: "in regular use."

The motion prevailed and the amendment was adopted.

Senator Donohue moved the previous question, which motion prevailed.

Senator Baldwin was called to the chair at 2:45 p. m.

President N. G. Kraschel returned to the chair at 2:55 p. m.

By unanimous consent granted Senator Roelofs, the rules were suspended and the following amendment adopted:

Amend Senate File 198, section one hundred thirteen (113), by striking all of line 11, following the first comma, and all of lines 12, 13, and 14, and inserting in lieu thereof the following: "and no licensee, or any employee, shall be permitted to remain in or enter the place of business for the purpose of making sales after ten (10) p. m. of any day and until the hour of opening on the next authorized day."

Senator Geske moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 29:

Anderson	Donohue	Kimberly	Roelofs
Baldwin	Driscoll	Knudson	Schmidt
Bell of Crawford	Fisch	Mason	Stevens of
Bell of	Geske	Meyer	Decatur
Des Moines	Goetsch	Moore	Stevens of
Byers	Grunewald	Mullaney	Wapello
Chrystal	Harrington	Parker	Valentine
Corwin	Irwin	Reese	Wilson

Nays, 20:

Aschenbrenner	Dewey	Malone	Patterson
Beardsley	Elthon	McArthur	Pendray
Berg	Hopkins	Miller	Shangle
Billingsley	Hush	Millhone	Shaw
Calhoun	Husted	Nelson	Stanley

Absent or not voting, 1:

Doze

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

Senator Geske moved that the vote by which Senate File 198 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

ACTION ON SENATE FILE 320 DEFERRED

By unanimous consent granted Senator Donohue, it was ordered that action on Senate File 320 be deferred until after consideration of special order Senate File 302, and that Senate File 320 be made a special order to follow the disposition of Senate File 302.

SENATE FILE 198 ORDERED REPRINTED

By unanimous consent granted Senator Baldwin, it was ordered that Senate File 198 be reprinted, as amended and passed by the Senate.

SENATE FILE 198 MESSAGED TO HOUSE

By unanimous consent granted Senator Baldwin, it was ordered that the rules be suspended and Senate File 198 be messaged to the House immediately.

RESIGNATION OF COMMITTEE CLERK

April 9, 1935.

MR. PRESIDENT: I hereby tender my resignation as committee clerk for Senator Goetsch to take effect immediately. ROBERT C. DALEY.

The resignation was accepted.

N. G. KRASCHEL, *President*.

REPORT OF COMMITTEE ON COMMITTEE CLERKS

MR. PRESIDENT: Your committee on committee clerks has assigned Marta La Plante as clerk to Senator Goetsch to begin April 10th.

PAUL ANDERSON.

WM. S. BEARDSLEY.

JAMES M. BELL.

CALL OF THE SENATE FILED

We, the undersigned, hereby request a call of the Senate on the consideration of Senate File 302.

JOHN K. VALENTINE.

ROY E. STEVENS.

T. F. DRISCOLL.

LEO ELTHON.

E. I. MASON.

ANDREW BELL.

H. D. MILLER.

JOHN N. CALHOUN.

C. E. MALONE.

FRANK C. BYERS.

CLAUDE STANLEY.

J. BERG.

WM. S. BEARDSLEY.

L. H. MEYER.

M. X. GESKE.

JAMES M. BELL.

E. P. CORWIN.

PAUL SCHMIDT.

FRANK M. STEVENS.

AMENDMENTS FILED

Amend Senate File 61 by adding thereto the following as another section: "Sec. —. If any section, provision or part of this act shall be adjudged to be unconstitutional or invalid for any reason, by any court of competent jurisdiction, such judgment shall not impair, affect or invalidate the remainder of this act which shall remain in full force and effect thereafter."

CLAUDE STANLEY.

Amend Senate File 166 by striking section three (3) and four (4) thereof.

A. J. SHAW.

Amend Senate File 302 as follows:

Amend section 7 by striking lines 3 and 4 and insert in lieu thereof the following: "all common motor carriers; to fix the rates, fares, charges and classifications of each common motor carrier and to approve or disapprove such lower rates, fares, charges and classifications as may be filed with it by such common motor carrier and to establish rules and regulations pertaining there-".

Amend section 8 by striking from lines 20, 21 and 22 the following: "by any intrastate common motor carrier subject to this act whose route is parallel with an interstate motor carrier."

Amend section ten (10) by adding thereto the following: "When in the judgment of the commission immediate transportation service by motor carrier is needed by a shipper and no holder of a certificate or permit, issued under the provisions of this act, is available to perform such service, the commission may, without notice or hearing, issue a temporary permit authorizing the performance of such service to a contract motor carrier, who shall have complied with the safety provisions of this act, obtained the insurance coverage required herein and made provision satisfactory to the commission for the payment of the tax levied in this act."

Amend section twelve (12) by inserting after the word "commission" in line 3 thereof the following: ", after complaint has been filed in accordance with rules established by the commission,".

Further amend section twelve (12) by striking the word "prescribed for" in line 6 and insert in lieu thereof the following: "charged by."

Amend section sixteen (16) by striking lines 10 and 11 and add the following: "four-fifths (4/5) of the maximum load which will be carried on such motor vehicle at any time in this state, which maximum capacity shall be registered with the commission."

Amend section twenty-four (24) by striking the last line to the amendment to section twenty-four (24) filed by John K. Valentine, Senate Journal 716, March 29, 1935, and insert in lieu thereof the following: "visions of sections seven (7), twelve (12), twenty-one (21), twenty-two (22) and twenty-three (23) until such time as Congress may enact federal legislation with reference to rates for interstate motor truck transportation."

JOHN K. VALENTINE.

REPORTS OF COMMITTEES

Senator Grunewald submitted the following report:

MR. PRESIDENT: Your committee on livestock and dairy to which was referred Senate File 162, a bill for an act to amend sections twenty-nine hundred sixty-seven (2967) and twenty-nine hundred sixty-eight (2968), Code, 1931, relating to liens for services of stallions and jacks, begs leave to report it has had the same under consideration and returns the bill without recommendation.

H. J. GRUNEWALD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on livestock and dairy to which was referred Senate File 223, a bill for an act to amend sections twenty-seven hundred twenty-three (2723), twenty-seven hundred twenty-four (2724), twenty-seven hundred twenty-five (2725), twenty-seven hundred twenty-six (2726), and twenty-seven hundred thirty-seven (2737), Code of Iowa, 1931, limiting the time of and clarifying the amount of fees charged for schools of instruction in the use of anti-hog-cholera serum and virus; clarifying provisions as to the time for issuance of permits and informa-

tion; and declaring an emergency, begs leave to report it has had the same under consideration and recommends the same do pass.

H. J. GRUNEWALD, *Chairman.*

Ordered passed on file.

Senator McArthur submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred Senate File 166, a bill for an act to amend chapter fifty-six (56) acts of the Forty-fifth General Assembly, Extraordinary Session, relating to motor vehicle fuel license fees and to define power alcohol blend, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Senate File 166 by striking section three (3) and four (4) thereof.

WM. MCARTHUR, *Chairman.*

Ordered passed on file.

Senator Stevens submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred House File 93, a bill for an act to make an appropriation for the expense incurred in the election contest of Miller vs. Zeigler, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 357, a bill for an act to amend and revise chapter nineteen (19), acts of the Forty-fifth General Assembly in Extraordinary Session, relating to protection, welfare and assistance of aged persons in need and having domicile in Iowa, relating to method therefor, relating to tax levied to support an assistance system; relating to recovery by state from estate and life insurance of a deceased recipient, begs leave to report it has had the same under consideration and returns the bill without recommendation.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

On motion of Senator Schmidt, the Senate adjourned until 10:00 a. m., Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 10, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Raymond M. Shipman, pastor of the M. E. Church at Des Moines.

The Journal of April 9, 1935, was approved.

PETITIONS AND MEMORIALS

The following petitions opposing the so-called "chain stores" were received and filed, to be referred to the committee on cities and towns:

Senator Schmidt, from residents of Johnson county; Senator Hopkins, from residents of Guthrie county; Senator Millhone, from residents of Page county; Senator Bell of Des Moines, from residents of Des Moines county; Senator Anderson, from residents of Webster county; Senator Baldwin, from residents of Dubuque county; Senator Doze, from residents of Wayne and Lucas counties.

The following petition favoring the "port of entry" bill was received and filed, to be referred to the committee on motor vehicles:

Senator Berg, from residents of Black Hawk county.

COMMUNICATIONS RECEIVED

STATE OF IOWA

The Board of Railroad Commissioners

Des Moines

April 8, 1935.

Mr. Hedo M. Zacherle, Secretary.
State Senate Building.

DEAR SIR: This is to acknowledge receipt of copy of Concurrent Resolution 17 adopted by the state Senate of Iowa concerning the dismemberment and reorganization of the Minneapolis and St. Louis Railroad

company. Copy of the resolution has been handed to each of the commissioners, as well as the state commerce counsel, for their information.

Very truly yours,

GEO. L. McCAUGHAN, *Secretary.*

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had signed Senate Files 20, 52 and 290 on April 9, 1935, and Senate File 35 on April 8, 1935.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 64, 88, 111, 112, 135, 137, 146 and 232.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files 64, 88, 111, 112, 135, 137, 146 and 232.

THIRD READING OF BILLS

The proper time having arrived, Senate File 302, a bill for an act to repeal chapter two hundred fifty-two-a one (252-a1), chapter two hundred fifty-two-a two (252-a2), and chapter two hundred fifty-two-c one (252-c1), of the Code, 1931; to define common, contract and private motor carriers; to provide for the supervision and regulation by the board of railroad commissioners of the use of the highways of this state by those engaged in the transportation thereon of passengers or property for hire; to provide that no common motor carrier shall hereafter operate as a common motor carrier without having obtained from the board of railroad commissioners a certificate of convenience and necessity, and that no contract motor carrier or private motor carrier shall hereafter operate as a contract motor carrier or a private motor carrier without having obtained from the board of railroad commissioners a permit; to provide for the levy and collection of a tax to be paid

by common, contract and private motor carriers for the construction, maintenance, repair and reconstruction of such highways; to provide for the furnishing of insurance or surety bonds by common, contract and private carriers; to authorize cities and towns by ordinance to adopt general rules of operation and to designate the streets or routes over which common and contract motor carriers shall travel; to provide for hearings and for appeals from the decisions of the board of railroad commissioners; to provide for the disposition of moneys collected hereunder; to provide for the administration and enforcement of the provisions of this act, including the establishment of stations for the registration, inspection and regulation of and the collection of tax from common, contract and private motor carriers entering this state, and to provide punishment for the violation of the provisions hereof, was taken up and considered.

The bill was read for information.

There being a call of the Senate on file, roll call revealed that all members of the Senate were not present.

On motion of Senator Harrington, deliberation on Senate File 302 proceeded with the understanding that no roll call would be taken until the absent Senators might appear in the Senate chamber.

Senator Harrington was called to the chair at 10:50 a. m.

Senator Knudson took the chair at 10:55 a. m.

President N. G. Kraschel returned to the chair at 11:10 a. m.

On motion of Senator Shangle, the Senate recessed until 1:00 p. m.

AFTERNOON SESSION

Having recessed until 1:00 p. m., the Senate reconvened, President N. G. Kraschel presiding.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 49 and 70.

JOHN N. CALHOUN, *Chairman Senate Committee.*
DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 49 and 70.

Senator Stevens of Wapello was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 371, by committee on appropriations, a bill for an act to make an emergency appropriation for the purpose of paying the necessary expenses of the vocational summer school for the adult blind who are residents of this state.

The bill was read first and second times and placed on the calendar.

Senate File 372, by committee on appropriations, a bill for an act to make an appropriation to the judges of the District Court of the State of Iowa.

The bill was read first and second times and placed on the calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 457, a bill for an act relating to losses on loans of the school fund and providing for the making of compromises by the board of supervisors.

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

House Concurrent Resolution 12, authorizing the appointment of the Greater Iowa Commission for coordinating the agricultural, industrial, labor and commercial groups of this state.

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

Senate File 121, a bill for an act relating to exemptions from taxation of property owned by persons receiving old age assistance.

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

Senate File 126, a bill for an act to legalize the proceedings of the governing bodies of certain cities.

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

Senate File 136, a bill for an act providing for the disposal of balances from local tax levies remaining in the primary road bond and interest redemption fund.

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

Senate File 199, a bill for an act extending time in which to pay, without penalty, the first installment of all taxes payable in 1935.

VIRGIL LEKIN, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 136

1. Strike from section two (2) all of the last sentence.
2. Amend the title by striking the semicolon in line 3 and inserting in lieu thereof the word "and"; also further amend by striking all after the word "levies" in line 4 and inserting a period.

HOUSE CONCURRENT RESOLUTION 12

Whereas, There is a generally recognized need for a state-wide organization whose sole interest will be the development of the state of Iowa as a whole, and

Whereas, Business activities in the state of Iowa embrace not only agriculture but also industry, labor and other commercial groups, and

Whereas, It would be for the best interests of each group and of the citizens of Iowa generally that cooperation be had between said groups in the development of the state of Iowa and its business, and

Whereas, It would be beneficial to all business in the state of Iowa for the Governor to appoint a commission to co-ordinate the various businesses of the state for the purpose of closer cooperation in the betterment of economic conditions in the state of Iowa, now, therefore,

Be It Resolved by the House of Representatives, the Senate concurring: That the Governor of Iowa immediately appoint a non-partisan committee of three members, designating which appointee shall be chairman thereof, and which commission shall be known as the Greater Iowa Commission and whose duty shall be to co-ordinate the agricultural, the industrial, labor and commercial groups of this state for the purpose of more closely cooperating for the betterment of economic conditions in the state of Iowa, and

Be It Further Resolved: That said commissioners serve without pay and that their activities be carried on without expense to the state of Iowa.

C. L. MCKINNON.

D. W. BURINGTON.

B. B. DORAN.

PAUL CUNNINGHAM.

CONSIDERATION OF SENATE FILE 302 RESUMED

President pro tempore Harold L. Irwin was called to the chair at 1:20 p. m.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 302 as follows:

Amend section two (2) of Senate File 302 by inserting after the word "sold" in line 15 thereof the following: ", leased or rented," and by inserting in line 16 after the word "sold" the following: ", leased or rented,".

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 302 as follows:

Amend section five (5) by inserting after the word "state" and before the semicolon in line 7 the following: "out of which the motor vehicle is operated."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 302 as follows:

Amend section twelve (12) of Senate File 302 by striking the comma appearing after the word "carriers" in line 5 thereof, and by inserting after the word "common" in line 6 thereof the word "motor."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 302 as follows:

Amend section nineteen (19) of Senate File 302 by striking out all of lines 5 to 8, both inclusive, thereof, and by inserting in lieu thereof the following: "(a) such vehicle is transporting livestock or other farm and dairy products exclusively, from the farm, dairy or concentration point to warehouse, creamery, processing plant, common carrier or other original storage or market, or is returning empty, or with empty containers, only, after having completed said transportation; or."

The motion prevailed and the amendment was adopted.

Senator Stanley offered the following amendment and moved its adoption:

Amend Senate File 302, section nineteen (19), line 9 by inserting after the word "feed" a comma.

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 302 by striking out all of section twenty-four (24) thereof, and by inserting in lieu thereof the following:

"Sec. 24. Exemption. Common, contract and private motor carriers while operating motor vehicles transporting livestock, or other farm and dairy products exclusively, from the farm, dairy or concentration point to warehouse, creamery, processing plant, common carrier or other original storage or market, are hereby specifically exempted from the provisions of sections twenty-one (21) to twenty-three (23), both inclusive.

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 302 as follows:

Amend section fifty-three (53) by inserting after the word "act" and before the comma in line 9 the following: "within the state of Iowa."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 302 as follows:

Amend section fifty-five (55) by inserting after the word "under" in line 3 the following: "sections fifteen (15) to eighteen (18) both inclusive of."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 302 as follows:

Amend section seven (7) by striking lines 3 and 4 and insert in lieu thereof the following: "all common motor carriers; to fix the rates, fares, charges and classifications of each common motor carrier and to approve or disapprove such lower rates, fares, charges and classifications as may be filed with it by such common motor carrier and to establish rules and regulations pertaining there-".

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 302 as follows:

Amend section eight (8) by striking from lines 20, 21 and 22 the fol-

lowing: "by any intrastate common motor carrier subject to this act whose route is parallel with an interstate motor carrier."

The motion prevailed and the amendment was adopted.

Senator Shangle offered the following amendment and moved its adoption:

Amend Senate File 302, section eight (8), line 17, by striking the word "for" and substituting in lieu thereof the word "by."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 302 as follows:

Amend section ten (10) by adding thereto the following: "When in the judgment of the commission immediate transportation service by motor carrier is needed by a shipper and no holder of a certificate or permit, issued under the provisions of this act, is available to perform such service, the commission may, without notice or hearing, issue a temporary permit authorizing the performance of such service to a contract motor carrier, who shall have complied with the safety provisions of this act, obtained the insurance coverage required herein and made provision satisfactory to the commission for the payment of the tax levied in this act."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 302 as follows:

Amend section twelve (12) by inserting after the word "commission" in line 3 thereof the following: ", after complaint has been filed in accordance with rules established by the commission,".

Further amend section twelve (12) by striking the word "prescribed for" in line 6 and insert in lieu thereof the following: "charged by."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 302 as follows:

Amend section sixteen (16) by striking lines 10 and 11 and add the following: "four-fifths (4/5) of the maximum load which will be carried on such motor vehicle at any time in this state, which maximum capacity shall be registered with the commission."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 302 as follows:

Amend section twenty-four (24), as amended, by striking the last line thereof and inserting in lieu thereof the following: "visions of sections seven (7), twelve (12), twenty-one (21), twenty-two (22) and twenty-three (23) until such time as Congress may enact federal legislation with reference to rates for interstate motor truck transportation."

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

Amend the pending amendment by striking from line 5 the words "Congress may enact"; further amend by striking the period in line 7 following the word "transportation" and substituting in lieu thereof "becomes effective."

The motion prevailed and the amendment to the amendment was adopted.

The motion prevailed and the amendment as amended was adopted.

Senator Stanley offered the following amendment and moved its adoption:

Amend Senate File 302, section seven (7), line 5 by adding a comma after the word "accounts."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 302 as follows:

Amend section forty-seven (47) line 1 by striking the word "every" and substituting therefor the word "any."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 302 as follows:

Amend section fifty-seven (57) by striking the word "March" in line 10 and substituting therefor the word "April", and by striking the word "March" in line 15 and substituting therefor the word "April."

The motion prevailed and the amendment was adopted.

Senator Byers offered the following amendment and moved its adoption:

Amend Senate File 302 by striking from line 13 of section fifteen (15)

thereof the following: "one and one-half ($1\frac{1}{2}$)", and by inserting in lieu thereof the word and figure: "one (1)."

The motion prevailed and the amendment was adopted.

Senator Knudson offered the following amendment and moved its adoption:

Amend section twenty-eight (28) of Senate File 302 by adding at the end thereof the following:

"The commission may accept in lieu of said bond and/or insurance such other form of security as may be satisfactory to the commission."

The motion prevailed and the amendment was adopted.

Senator Baldwin offered the following amendment and moved its adoption:

Amend section two (2) of Senate File 302, by striking all of paragraph four (4).

Amend section three (3) of Senate File 302, by striking the comma and words in lines 2 and 3 " , contract or private" and inserting in lieu thereof "or contract."

Amend section four (4) of Senate File 302, by striking from lines 18 and 19 the words and comma "or in furtherance of any private commercial enterprise,".

Amend section four (4) of Senate File 302, by striking from lines 23 and 24 the words and comma "or in furtherance of any private commercial enterprise,".

Amend section five (5) of Senate File 302, by striking from lines 2 and 3 the comma and words " , contract or private" and inserting in lieu thereof "or contract."

Amend section five (5) of Senate File 302, by striking from lines 4, 5, 6 and 7 the words and semicolon "or to any motor vehicle owned or operated by any private motor carrier while operated within a radius of twenty-five (25) miles beyond the limits of any city or town of this state;".

Amend section five (5) of Senate File 302, by striking from line 7 the comma and words " , contract or private" and inserting in lieu thereof "or contract."

Amend Senate File 302 by striking all of section thirteen (13) and fourteen (14).

Amend section fifteen (15) of Senate File 302, by striking from lines 3 and 4 the comma and words " , contract and private" and inserting in lieu thereof "and contract."

Amend section seventeen (17) of Senate File 302, by striking from line 1 the comma and words " , contract and private" and inserting in lieu thereof the words "and contract."

Amend section eighteen (18) of Senate File 302, by striking from lines 6 and 7 the comma and words " , contract and private" and inserting in lieu thereof the words "and contract."

Amend section eighteen (18) of Senate File 302, by striking from line 25 the words and comma "contract, or private" and inserting in lieu thereof the words "or contract."

Amend section nineteen (19) of Senate File 302, by striking from line 3 the comma and words ", contract or private" and inserting in lieu thereof "or contract."

Amend section twenty-one (21) of Senate File 302, by striking from lines 8 and 9 the comma and words ", contract and private" and inserting in lieu thereof "and contract."

Amend section twenty-three (23) of Senate File 302, by striking from line 2 the comma and words ", contract or private" and inserting in lieu thereof "or contract."

Amend section twenty-three (23) of Senate File 302, by striking from lines 4 and 5 the comma and words ", contract or private" and inserting in lieu thereof "or contract."

Amend section twenty-three (23) of Senate File 302, by striking from lines 19 and 20 the comma and words ", contract or private" and inserting in lieu thereof the words "or contract."

Amend section twenty-three (23) of Senate File 302, by striking from lines 22 and 23 the comma and words ", contract or private" and inserting in lieu thereof "or contract."

Amend section twenty-four (24) of Senate File 302, by striking from line 1 the comma and words ", contract or private" and inserting in lieu thereof the words "or contract."

Amend section thirty-eight (38) of Senate File 302, by striking from line 1 the comma and words ", contract or private" and inserting in lieu thereof the words "or contract."

Amend section forty-two (42) of Senate File 302, by striking from line 2 the comma and words ", contract or private" and inserting in lieu thereof the words "or contract."

Amend section forty-four (44) of Senate File 302, by striking from lines 2 and 3 the comma and words ", contract or private" and inserting in lieu thereof the words "or contract."

Amend section forty-five (45) of Senate File 302, by striking from lines 4 and 5 the comma and words ", contract or private" and inserting in lieu thereof "or contract."

Amend section forty-five (45) of Senate File 302, by striking from line 6 the comma and words ", contract or private" and inserting in lieu thereof "or contract."

Amend section forty-six (46) of Senate File 302, by striking from line 3 the comma and words ", contract or private" and inserting in lieu thereof the words "or contract."

Amend section forty-seven (47) of Senate File 302, by striking from line 2 the comma and words ", contract or private" and inserting thereof "or contract."

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

Amend the amendment as offered by Senator Baldwin to Senate File

302, and found on pages 827 and 828 of the Senate Journal of April 5, by adding thereto the following: "amend paragraph three (3) of section two (2) by striking the period at the end of said paragraph three (3), and inserting in lieu thereof a semicolon and adding the following: 'provided, that any contract motor carrier who does not at any one time contact with to exceed six (6) distinct persons, firms or corporations for the transportation of property shall not be subject to any of the provisions of this act.'"

The motion prevailed and the amendment to the amendment was adopted.

Roll call revealed the absence of Senators Parker, Meyer, Bell of Crawford, Geske and Kimberly from the Senate Chamber.

Senator Valentine requested that the call of the Senate be enforced.

President N. G. Kraschel returned to the chair at 2:10 p. m.

On motion of Senator Valentine, the Senate stood at ease until the fall of the gavel.

The Senate came to order at the fall of the gavel.

Roll call revealed all members of the Senate were present, and the call of the Senate was declared to be complete.

Senator Harrington moved that Senate File 302 and all pending amendments be laid on the table.

Roll call was requested.

The question was, Shall the bill be laid on the table?

On the question, Shall the bill be laid on the table? the vote was:

Ayes, 14:

Anderson	Doze	Husted	Shangle
Aschenbrenner	Goetsch	Patterson	Shaw
Beardsley	Harrington	Roelofs	Stanley
Dewey	Hopkins		

Nays, 31:

Baldwin	Driscoll	Meyer	Reese
Bell of	Elthon	Miller	Schmidt
Des Moines	Fisch	Millhone	Stevens of
Berg	Grunewald	Moore	Decatur
Byers	Irwin	Mullaney	Stevens of
Calhoun	Knudson	Nelson	Wapello
Chrystal	Malone	Parker	Valentine
Corwin	Mason	Pendray	Wilson
Donohue	McArthur		

Absent or not voting, 5:

Bell of Crawford	Geske	Hush	Kimberly
Billingsley			

The motion to lay the bill on the table was lost.

Senator Roelofs moved that action on Senate File 302 be deferred and that the subject matter to which the bill related be referred to an interim committee for further study.

Senator Valentine raised the point of order that at this time no interim committee existed and that it would be necessary to introduce a resolution to create such interim committee.

Senator Valentine withdrew his point of order.

Senator Shangle moved the previous question, which motion prevailed.

Roll call was requested.

The question was, Shall action on the bill be deferred and referred to an interim committee?

On the question, Shall action on the bill be deferred and referred to an interim committee? the vote was:

Ayes, 20:

Aschenbrenner	Dewey	Hush	Patterson
Baldwin	Doze	Husted	Roelofs
Beardsley	Goetsch	McArthur	Shangle
Berg	Harrington	Millhone	Shaw
Corwin	Hopkins	Parker	Stanley

Nays 28:

Anderson	Donohue	Mason	Schmidt
Bell of Crawford	Driscoll	Meyer	Stevens of
Bell of	Elthon	Miller	Decatur
Des Moines	Fisch	Moore	Stevens of
Billingsley	Grunewald	Mullaney	Wapello
Byers	Irwin	Nelson	Valentine
Calhoun	Knudson	Pendray	Wilson
Chrystal	Malone	Reese	

Absent or not voting, 2:

Geske	Kimberly
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The motion to defer action was lost.

Consideration of the pending Baldwin amendment, as amended, was resumed.

Senator Elthon moved the previous question, which motion prevailed.

The question was, Shall the amendment as amended be adopted?

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

Ayes, 11:

Baldwin	Dewey	Hopkins	Shangle
Berg	Doze	Kimberly	Wilson
Byers	Harrington	Patterson	

Nays, 38:

Anderson	Driscoll	Malone	Reese
Aschenbrenner	Elthon	Mason	Roelofs
Beardsley	Fisch	McArthur	Schmidt
Bell of Crawford	Geske	Meyer	Shaw
Bell of	Goetsch	Miller	Stanley
Des Moines	Grunewald	Millhone	Stevens of
Billingsley	Hush	Moore	Decatur
Calhoun	Husted	Mullaney	Stevens of
Chrystal	Irwin	Nelson	Wapello
Corwin	Knudson	Pendray	Valentine
Donohue			

Absent or not voting, 1:

Parker

The motion to amend was lost.

Senator Harrington offered the following amendment and moved its adoption:

Amend Senate File 302 by inserting after the word "except" in line 11 of section fifteen (15) the following: "motor vehicles operated by common motor carrier and," and by inserting as subdivision (d) of section fifteen (15) the following:

"(d) for motor vehicles operated by common motor carrier under common carrier certificate granted by the railroad commission, and having pneumatic tires and operated exclusively for the transportation of property four (4) mills per mile of travel for each two thousand (2,000) pounds or major fraction thereof of the gross weight of the vehicle."

Amend Senate File 302 by striking out of line 19 of section fifteen (15) the word and figure "one (1)" and inserting in lieu thereof the word and figure "four (4)."

By unanimous consent granted Senator Harrington the pending amendment was amended in line 5 of the second paragraph by striking the word and figure "four (4)" and inserting in lieu thereof the words and figures "three and one-half (3½);" also, by striking the word and figure "four (4)" in the last line of the amendment, and inserting in lieu thereof the words and figures "three and one-half (3½)".

Senator Byers raised the point of order that the subject matter

of the pending amendment had been before the Senate previously during the day and by the adoption of the Byers amendment to Senate File 302 had been determined.

The chair ruled the point was not well taken.

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 19:

Anderson	Calhoun	Goetsch	Kimberly
Aschenbrenner	Corwin	Harrington	Patterson
Baldwin	Dewey	Hopkins	Shaw
Beardsley	Doze	Husted	Stanley
Billingsley	Fisch	Irwin	

Nays, 31:

Bell of Crawford	Geske	Millhone	Schmidt
Bell of Des Moines	Grunewald.	Moore	Shangle
Berg	Hush	Mullaney	Stevens of Decatur
Byers	Knudson	Nelson	Stevens of Wapello
Chrystal	Malone	Pendray	Valentine
Donohue	Mason	Reese	Wilson
Driscoll	McArthur	Roelofs	
Elthon	Meyer		
	Miller		

Absent or not voting, none.

Rule 8 was invoked.

The motion to amend was lost.

Senator McArthur offered the following amendment and moved its adoption:

Amend section fifteen (15), paragraph "b", line 13 of Senate File 302, by striking the words and figures "one and a half (1½)" and inserting in lieu thereof "one-half (½)."

Also amend paragraph "c" section fifteen (15), line 19, by striking the word and figure "one (1)" and inserting in lieu thereof "one-half (½)."

By unanimous consent granted Senator McArthur, the amendment was withdrawn.

Senator Roelofs offered the following amendment and moved its adoption:

Amend Senate File 302, section five (5), by striking from line 6 the words and figures "twenty-five (25)" and inserting in lieu thereof the word and figures "fifty (50)."

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 25:

Anderson	Byers	Hush	Patterson
Aschenbrenner	Dewey	Irwin	Reese
Baldwin	Doze	Kimberly	Roelofs
Beardsley	Fisch	McArthur	Shaw
Bell of	Goetsch	Meyer	Stanley
Des Moines	Harrington	Millhone	Wilson
Berg	Hopkins		

Nays, 25:

Bell of Crawford	Elthon	Miller	Shangle
Billingsley	Geske	Moore	Stevens of
Calhoun	Grunewald	Mullaney	Decatur
Chrystal	Husted	Nelson	Stevens of
Corwin	Knudson	Parker	Wapello
Donohue	Malone	Pendray	Valentine
Driscoll	Mason	Schmidt	

Absent or not voting, none.

The motion to amend was lost.

Senator Wilson offered the following amendment and moved its adoption:

Amend Senate File 302, section fifty-six (56), line 1, by striking the words "Ten per cent" and inserting in lieu thereof "Fifteen per cent."

The motion prevailed and the amendment was adopted.

Senators Harrington and Roelofs offered the following amendment and moved its adoption:

Amend Senate File 302 by striking therefrom sections twenty-one (21), twenty-two (22) and twenty-three (23).

COMMITTEE CLERK SWORN IN

Marta La Plante appeared before the bar of the Senate and took the required oath of office as committee clerk for Senator Goetsch.

REPORTS OF COMMITTEES

Senator Stevens submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 366, a bill for an act to make an appropriation to J. M. Vernon, Edd Scantlebury, and Miles Baier, begs leave to report

it has had the same under consideration and recommends the same do pass.
 ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 367, a bill for an act to make an appropriation to J. M. Cree, begs leave to report it has had the same under consideration and recommends the same do pass.
 ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Senator Schmidt moved that the Senate adjourn until 10:00 a. m. Thursday.

Roll call was requested.

The question was, Shall the Senate adjourn?

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

Ayes, 26:

Anderson	Billingsley	Harrington	Patterson
Aschenbrenner	Calhoun	Hush	Roelofs
Beardsley	Corwin	Irwin	Shangle
Bell of Crawford	Dewey	McArthur	Shaw
Bell of	Fisch	Meyer	Stanley
Des Moines	Geske	Millhone	Wilson
Berg	Goetsch	Parker	

Nays, 23:

Baldwin	Grunewald	Miller	Schmidt
Byers	Hopkins	Moore	Stevens of
Chrystal	Husted	Mullaney	Decatur
Donohue	Knudson	Nelson	Stevens of
Doze	Malone	Pendray	Wapello
Driscoll	Mason	Reese	Valentine
Elthon			

Absent or not voting, 1:

Kimberly

The motion prevailed and the Senate adjourned until 10:00 a. m., Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 11, 1935.

The Senate met in regular session, President pro tempore Harold L. Irwin presiding.

Prayer was offered by Rev. O. J. Fix, pastor of the Methodist Episcopal church at Victor.

The Journal of April 10, 1935, was approved.

PETITIONS AND MEMORIALS

The following petitions opposing the tax on the so-called "chain stores" were received and filed, to be referred to the committee on cities and towns:

Senator Aschenbrenner, from residents of Marion county; Senator Mullaney, from residents of Fayette county; Senator Shangle, from residents of Mahaska county; Senator Chrystal, from residents of Carroll county; Senator Kimberly, from residents of Scott county.

The following petition opposing Senate File 283 was received and filed, to be referred to the committee on board of control and public welfare:

Senator Chrystal, from residents of Sac county.

INTRODUCTION OF BILLS

Senate File 373, by committee on appropriations, a bill for an act to make an appropriation to the department of the Grand Army of the Republic to defray expenses of publishing final history of the Grand Army of the Republic.

The bill was read first and second times and placed on the calendar.

Senate File 374, by committee on claims, a bill for an act to make an appropriation to N. L. Heller, M. V. Harmon, L. C. Syfert, W. M. Cutter, Carl Weeks, Walter Kiser, Joe Michels, E. E. Peter-

son, Ed Kennedy, Carl R. Ryder, Elsie Maden, Mrs. J. H. Kelley, and H. M. Kelley.

The bill was read first and second times and referred to the committee on appropriations.

HOUSE MESSAGES CONSIDERED

House File 457, a bill for an emergency act relating to losses on loans of the school fund and providing for the making of compromises by the board of supervisors on loans of school funds with the consent and approval of the superintendent of public instruction of the state of Iowa.

The bill was read first and second times and referred to the committee on emergency legislation.

BILLS SENT TO THE GOVERNOR

Senator Calhoun from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 11th day of April, 1935, sent to the Governor for his approval Senate Files 49 and 70. JOHN N. CALHOUN, *Chairman*.

Passed on file.

CONSIDERATION OF SENATE FILE 302 RESUMED

Senate File 302, a bill for an act to repeal chapter two hundred fifty-two-a one (252-a1), chapter two hundred fifty-two-a two (252-a2), and chapter two hundred fifty-two-c one (252-c1), of the Code, 1931; to define common, contract and private motor carriers; to provide for the supervision and regulation by the board of railroad commissioners of the use of the highways of this state by those engaged in the transportation thereon of passengers or property for hire; to provide that no common motor carrier shall hereafter operate as a common motor carrier without having obtained from the board of railroad commissioners a certificate of convenience and necessity, and that no contract motor carrier or private motor carrier shall hereafter operate as a contract motor carrier or a private motor carrier without having obtained from the board of railroad commissioners a permit; to provide for the levy and collection of a tax to be paid by common, contract and private motor carriers for the construction, maintenance, re-

pair and reconstruction of such highways; to provide for the furnishing of insurance or surety bonds by common, contract and private carriers; to authorize cities and towns by ordinance to adopt general rules of operation and to designate the streets or routes over which common and contract motor carriers shall travel; to provide for hearings and for appeals from the decisions of the board of railroad commissioners; to provide for the disposition of moneys collected hereunder; to provide for the administration and enforcement of the provisions of this act, including the establishment of stations for the registration, inspection and regulation of and the collection of tax from common, contract and private motor carriers entering this state, and to provide punishment for the violation of the provisions hereof.

Roll call revealed all members of the Senate were present and the call of the Senate was declared to be complete.

Consideration of the following pending Harrington and Roelofs amendment was resumed:

Amend Senate File 302 by striking therefrom sections twenty-one (21), twenty-two (22) and twenty-three (23).

Senator Wilson was called to the chair at 10:30 a. m.

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 15:

Anderson	Doze	Harrington	Pendray
Aschenbrenner	Elthon	Hopkins	Roelofs
Beardsley	Fisch	Husted	Shaw
Dewey	Goetsch	Patterson	

Nays, 34:

Baldwin	Driscoll	McArthur	Schmidt
Bell of Crawford	Geske	Meyer	Shangle
Bell of Des Moines	Grunewald	Miller	Stanley
Berg	Hush	Millhone	Stevens of Decatur
Billingsley	Irwin	Mullaney	Stevens of Wapello
Byers	Knudson	Nelson	Valentine
Calhoun	Malone	Parker	Wilson
Corwin	Mason	Reese	
Donohue			

Absent or not voting, 1:

Chrystal

The motion to amend was lost.

Senator Stanley offered the following amendment and moved its adoption:

Amend Senate File 302, section twenty-four (24), as amended, by inserting after the comma following the word and figure "seven (7)", the following: "eight (8)."

The motion prevailed and the amendment was adopted.

Senator Shangle moved to reconsider the vote of the Senate on the amendment offered by the Senator from Sioux to Senate File 302, section five (5), "striking from line 6 the words and figures 'twenty-five (25)' and inserting in lieu thereof the word and figures 'fifty (50)'."

Roll call was requested.

The question was, Shall the motion to reconsider prevail?

On the question, Shall the motion to reconsider prevail? the vote was:

Ayes, 24:

Anderson	Chrystal	Irwin	Pendray
Aschenbrenner	Dewey	Kimberly	Reese
Baldwin	Doze	McArthur	Roelofs
Bell of	Harrington	Meyer	Shangle
Des Moines	Hopkins	Millhone	Stanley
Berg	Hush	Parker	Wilson
Byers			

Nays, 26:

Beardsley	Elthon	Malone	Schmidt
Bell of Crawford	Fisch	Mason	Shaw
Billingsley	Geske	Miller	Stevens of
Calhoun	Goetsch	Moore	Decatur
Corwin	Grunewald	Mullaney	Stevens of
Donohue	Husted	Nelson	Wapello
Driscoll	Knudson	Patterson	Valentine

Absent or not voting, none.

The motion to reconsider was lost.

By request of Senator Elthon, the vote was verified.

Senator Baldwin offered the following amendment and moved its adoption:

Amend Senate File 302, section five (5), by striking from line 6 the words and figures "twenty-five (25)" and inserting in lieu thereof the words and figures "thirty-five (35)."

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 28:

Anderson	Donohue	Meyer	Schmidt
Aschenbrenner	Doze	Millhone	Shangle
Baldwin	Driscoll	Moore	Stanley
Bell of	Harrington	Nelson	Stevens of
Des Moines	Hush	Patterson	Wapello
Berg	Irwin	Pendray	Valentine
Byers	Kimberly	Roelofs	Wilson
Dewey	McArthur		

Nays, 22:

Beardsley	Elthon	Husted	Parker
Bell of Crawford	Fisch	Knudson	Reese
Billingsley	Geske	Malone	Shaw
Calhoun	Goetsch	Mason	Stevens of
Chrystal	Grunewald	Miller	Decatur
Corwin	Hopkins	Mullaney	

Absent or not voting, none.

The motion prevailed and the amendment was adopted.

Senator Valentine moved that the previous question be now put, which motion prevailed.

On motion of Senator Harrington, the Senate recessed until 1:00 p. m.

AFTERNOON SESSION

Having recessed until 1:00 p. m., the Senate reconvened, President N. G. Kraschel presiding.

Roll call revealed the absence of Senators Bell of Crawford, Geske and McArthur.

Senator Wilson was called to the chair at 1:15 p. m.

On motion of Senator Harrington, Senators Bell of Crawford, Geske and McArthur were temporarily excused from the call of the Senate.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 17, a bill for an act relating to the power of city or town councils to regulate dance halls.

Also: That the House has concurred in Senate amendments and passed the following bill in which the concurrence of the House was asked:

House File 63, a bill for an act relating to registration of voters.

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

House File 455, a bill for an act making appropriation to R. E. Frisby and D. A. Luig.

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

House File 472, a bill for an act authorizing the board of control of state institutions to use from funds on hand from the "maintenance of industries of the men's reformatory," etc.

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

Senate File 107, a bill for an act to defray the expenses of the election contest between Pelzer and Malone. VIRGIL LEKIN, *Chief Clerk*.

HOUSE AMENDMENTS TO SENATE FILE 107

1. Section one (1), strike all of line 12; also strike from line 16 of said section the figures "788.81" and insert in lieu thereof "778.81."

President N. G. Kraschel returned to the chair at 1:50 p. m.

CONSIDERATION OF SENATE FILE 302 CONCLUDED

Senators Bell of Crawford, Geske and McArthur having appeared in the Senate Chamber, the call of the Senate was declared to be complete.

Senator Valentine moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 22:

Aschenbrenner	Geske	McArthur	Schmidt
Bell of	Grunewald	Miller	Stevens of
Des Moines	Irwin	Moore	Decatur
Byers	Knudson	Mullaney	Stevens of
Calhoun	Malone	Nelson	Wapello
Donohue	Mason	Reese	Valentine
Driscoll			

Nays, 25:

Anderson	Doze	Husted	Pendray
Beardsley	Fisch	Kimberly	Roelofs
Berg	Goetsch	Meyer	Shangle
Billingsley	Harrington	Millhone	Shaw
Chrystal	Hopkins	Parker	Stanley
Corwin	Hush	Patterson	Wilson
Dewey			

Absent or not voting, 3:

Baldwin Bell of Crawford Elthon

The bill as amended not having received a constitutional majority was declared to have failed to pass the Senate.

Senator Harrington moved that the vote by which Senate File 302 failed to pass the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORTS OF COMMITTEES

Senator Malone submitted the following report:

MR. PRESIDENT: Your committee on emergency legislation to which was referred House File 15, a bill for an act repealing chapter one hundred thirty-seven (137), acts of the Forty-fifth General Assembly in Extraordinary Session, exempting mortgages executed after January 1, 1934, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

C. E. MALONE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on emergency legislation to which was referred House File 204, a bill for an act to provide that actions based on notes, bonds, contracts and other written evidence of indebtedness, shall not be maintained in the courts of this state, unless, as a condition precedent to the rendition of judgment thereon, the same shall have been listed for taxation or taxes shall have been paid, etc., begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

C. E. MALONE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on emergency legislation to which was referred House File 457, a bill for an act relating to losses on loans of the school fund and providing for the making of compromises by the board of supervisors on loans of school funds with the consent and approval of the superintendent of public instruction of the state of Iowa, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

C. E. MALONE, *Chairman*.

Ordered passed on file.

Senator Miller submitted the following report:

MR. PRESIDENT: Your committee on highways to which was referred House File 186, a bill for an act to amend section forty-seven hundred fifty-five-b eight (4755-b8), Code, 1931, relating to the improvement of

the primary road system and prohibiting the acquiring or improving of a new system of diagonal highways, with certain exceptions, begs leave to report it has had the same under consideration and recommends the same do pass.

H. D. MILLER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways to which was referred Senate File 247, a bill for an act to amend section four thousand seven hundred and fifty-five-b twenty-nine (4755-b29) of the Code, relating to maintenance of extension of primary roads, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

H. D. MILLER, *Chairman*.

Ordered passed on file.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 12, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. James H. Dew-Brittain, pastor of the St. James Episcopal church at Independence.

The Journal of April 11, 1935, was approved.

PETITIONS AND MEMORIALS

The following petitions favoring the tax on the so-called "chain stores" doing business in the state were received and filed, to be referred to the committee on cities and towns:

Senator Husted, from residents of Madison county; Senator Patterson, from residents of Kossuth county.

The following petitions opposing the tax on the so-called "chain stores" doing business in the state were received and filed, to be referred to the committee on cities and towns:

Senator Husted, from residents of Madison county; Senator Patterson, from residents of Kossuth county.

The following petitions opposing Senate File 283 were received and filed, to be referred to the committee on board of control and public welfare:

Senator Chrystal, from residents of Sac county; Senator Harrington, from residents of Woodbury county.

The following petitions were received and filed, to be referred to the designated committees:

Senator Fisch, from residents of Plymouth county, favoring the repeal of the deficiency judgment law. Committee on judiciary No. 1.

Senator Reese, from residents of Marshalltown, favoring old age assistance. Committee on emergency legislation.

Senator Patterson, from residents of Kossuth county, in regard to old age assistance. Committee on emergency legislation.

INTRODUCTION OF BILLS

Senate File 375, by committee on claims, a bill for an act to make an appropriation to H. W. Hanson as guardian of Cleo. D. Allen.

The bill was read first and second times and referred to the committee on appropriations.

Senate File 376, by committee on highways, a bill for an act to amend section forty-six hundred twenty-five (4625), Code, 1931, relating to the compensation of the members of the state highway commission.

The bill was read first and second times and placed on the calendar.

Senate File 377, by committee on emergency legislation, a bill for an act to amend Senate File thirty-four (34), section two (2), as passed by the Forty-sixth General Assembly, signed by the Governor on February 4, 1935, and now on file in the office of the Secretary of State, relating to the rights of parties liable on the foreclosure of real estate mortgages and deeds of trust and the notes secured thereby.

The bill was read first and second times and placed on the calendar.

HOUSE MESSAGES CONSIDERED

House File 455, a bill for an act to make an appropriation to R. E. Frisby and D. A. Luig.

The bill was read first and second times and referred to the committee on appropriations.

House File 472, a bill for an act to authorize the board of control of state institutions to use from the funds on hand from the "maintenance of industries of men's reformatory" the sum of sixty thousand (60,000) dollars for building a hospital building and equipping same, the erection of corn cribs and granaries and the purchase of real estate consisting of certain lots at the men's reformatory at Anamosa, Iowa.

The bill was read first and second times and referred to the committee on appropriations.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 121, 126, 199, House Files 24, 138, 190, 242 and 312.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 121, 126, 199, House Files 24, 138, 190, 242 and 312.

BILLS SENT TO THE GOVERNOR

Senator Calhoun, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 12th day of April, 1935, sent to the Governor for his approval Senate Files 121, 126 and 199.

JOHN N. CALHOUN, *Chairman.*

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had signed Senate Files 49 and 70 on April 11, 1935.

SENATE FILE 320 MADE SPECIAL ORDER

By unanimous consent granted Senator Geske, it was ordered that action on Senate File 320 be deferred and that the bill be made a special order of business for 10:00 a. m., Monday, April 15th.

Senator Mason asked unanimous consent that Senate File 217 be made a special order of business for 10:00 a. m., Tuesday, April 16th. Objections were raised and the request denied.

Senator Mason moved that Senate File 217 be made a special order for 10:00 a. m., Tuesday, April 16th.

Senator Reese moved the previous question, which motion prevailed.

Roll call was requested.

The question was, Shall Senate File 217 be made a special order?

On the question, Shall Senate File 217 be made a special order? the vote was:

Ayes, 21:

Anderson	Driscoll	Mason	Shaw
Aschenbrenner	Elthon	Meyer	Stevens of
Bell of Crawford	Fisch	Miller	Decatur
Chrystal	Goetsch	Mullaney	Stevens of
Dewey	Grunewald	Reese	Wapello
Doze	Malone	Shangle	

Nays, 26:

Baldwin	Geske	Knudson	Patterson
Beardsley	Harrington	McArthur	Pendray
Berg	Hopkins	Millhone	Roelofs
Byers	Hush	Moore	Schmidt
Calhoun	Husted	Nelson	Stanley
Corwin	Irwin	Parker	Wilson
Donohue	Kimberly		

Absent or not voting, 3:

Bell of	Billingsley	Valentine
Des Moines		

The motion was lost.

THIRD READING OF BILLS

Senate Joint Resolution 11, a joint resolution proposing an amendment to article seven (VII) of the constitution of the state of Iowa by adding thereto section eight (8) relating to the use of motor vehicle license fees, registration fees and other charges on account of the operation of motor vehicles and licenses and excise taxes on motor vehicle fuels.

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

Section 1. That article seven (VII) of the constitution of the state of Iowa be amended by adding thereto, as section eight (8) thereof, the following:

"All motor vehicle license fees, registration fees and other charges on account of the operation of motor vehicles and all licenses and excise taxes on motor vehicle fuel, except cost of administration, shall be used exclusively for the construction, maintenance and supervision of the public highways or for the payment of bonds issued or to be issued for the construction of such public highways and the payment of interest on such bonds."

Sec. 2. Be it further resolved that the foregoing proposed amendment

be, and the same is hereby, referred to the General Assembly to be chosen at the next general election and that the Secretary of State cause the same to be published as provided by law.

The joint resolution was taken up, considered, and read for information.

Senator Baldwin moved the previous question, which motion prevailed.

Senator Donohue moved that the reading just had be considered the third reading and the joint resolution be placed on its passage, which motion prevailed.

The question was, Shall the joint resolution be adopted?

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

Ayes, 39:

Anderson	Donohue	Kimberly	Parker
Baldwin	Driscoll	Knudson	Pendray
Beardsley	Fisch	Malone	Reese
Bell of Crawford	Geske	Mason	Roelofs
Berg	Goetsch	McArthur	Schmidt
Billingsley	Grunewald	Meyer	Shaw
Calhoun	Harrington	Miller	Stanley
Chrystal	Hopkins	Millhone	Stevens of
Corwin	Hush	Mullaney	Wapello
Dewey	Husted	Nelson	Wilson

Nays, 9:

Aschenbrenner	Irwin	Patterson	Stevens of
Doze	Moore	Shangle	Decatur
Elthon			Valentine

Absent or not voting, 2:

Bell of	Byers
Des Moines	

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

COPIES OF AMENDMENT ORDERED PRINTED

By unanimous consent granted Senator Reese, it was ordered that 1,200 copies of the Reese amendment, which was a substitute for Senate File 228 and found on page 659 of the Senate Journal, be printed.

THIRD READING OF BILLS

Senate File 61, a bill for an act to provide for the joining of parties in actions on questions of common or general interest, and to provide for the procedure therefor, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

President pro tempore Harold L. Irwin took the chair at 11:20 a. m.

The following committee amendments were adopted:

Strike section one (1) of said bill and substitute in lieu thereof the following:

"Section 1. When the question is one of common or general interest to the residents, and/or property owners, and/or taxpayers of a municipality, and one or more of such interested parties has brought a suit against the municipality and/or governing body thereof, to compel the municipality or the governing body thereof to do or perform some thing or duty, or to refrain from doing or performing some thing or duty, all residents, property owners, or tax payers of said municipality shall be brought into said suit as parties therein before the final determination thereof.

"Sec. 2. Any one or more of such residents, property owners or tax payers of such municipality who were not parties to the original suit may for themselves and all other such interested parties join as plaintiffs in such suit at any time before appearance day by filing their petition in said suit.

"Sec. 3. When such suit has been brought by less than all such interested parties, the defendant may by way of cross-petition require all such interested parties to be brought into said suit as parties plaintiff in said action."

Further amend said bill by renumbering the remaining sections.

Also amend the title by adding after the word "interest" in the second line the following: "to the residents, property owners and tax payers of a municipality."

Senator Stanley offered the following amendment and moved its adoption:

Amend Senate File 61 by adding thereto the following as another section: "Sec. —. If any section, provision or part of this act shall be adjudged to be unconstitutional or invalid for any reason, by any court of competent jurisdiction, such judgment shall not impair, affect or invalidate the remainder of this act which shall remain in full force and effect thereafter."

The motion prevailed and the amendment was adopted.

ACTION ON SENATE FILE 61 DEFERRED

By unanimous consent granted Senator Stanley, further action on Senate File 61 was deferred until 1:00 p. m.

HOUSE AMENDMENTS CONSIDERED

Senator Hopkins called up for consideration Senate File 80, amended by the House, and moved that the Senate concur in the following amendments:

1. Strike from section one (1), lines 1 to 10, inclusive, and substitute in lieu thereof the following:

"Section 1. Chapter forty-one (41), acts of the Forty-fifth General Assembly, Extraordinary Session, is hereby amended by adding thereto following the period in line 20 the following:"

2. Also further amend said section by inserting after the word "school" where it first appears in line 12, the words "course of instruction" and by inserting after the word "school" in line 13, the words "or normal college."

3. Amend the title by striking from lines 3 and 4 the words "so as to provide for determining the cost of transportation."

The question was, Shall the Senate concur?

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

Ayes, 31:

Anderson	Fisch	Meyer	Shangle
Aschenbrenner	Goetsch	Miller	Shaw
Berg	Grunewald	Millhone	Stanley
Billingsley	Harrington	Moore	Stevens of
Byers	Hopkins	Mullaney	Decatur
Dewey	Husted	Pendray	Stevens of
Donohue	Irwin	Roelofs	Wapello
Doze	Malone	Schmidt	Wilson
Driscoll			

Nays, 1:

Parker

Absent or not voting, 18:

Baldwin	Calhoun	Hush	Nelson
Beardsley	Chrystal	Kimberly	Patterson
Bell of Crawford	Corwin	Knudson	Reese
Bell of	Elthon	Mason	Valentine
Des Moines	Geske	McArthur	

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

Senator Hopkins moved that the bill be given its final reading

and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 29:

Aschenbrenner	Goetsch	Miller	Shangle
Baldwin	Grunewald	Millhone	Stanley
Billingsley	Harrington	Moore	Stevens of
Dewey	Hopkins	Mullaney	Decatur
Donohue	Husted	Nelson	Stevens of
Doze	Irwin	Patterson	Wapello
Driscoll	Malone	Pendray	Wilson
Fisch	Meyer	Roelofs	

Nays, 2:

Bell of	Parker
Des Moines	

Absent or not voting, 19:

Anderson	Calhoun	Hush	Reese
Beardsley	Chrystal	Kimberly	Schmidt
Bell of Crawford	Corwin	Knudson	Shaw
Berg	Elthon	Mason	Valentine
Byers	Geske	McArthur	

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

On motion of Senator Shangle, the Senate recessed until 1:00 p. m.

AFTERNOON SESSION

Having recessed until 1:00 p. m., the Senate reconvened, President N. G. Kraschel presiding.

CONSIDERATION OF SENATE FILE 61 RESUMED

Senator Stanley offered the following amendment and moved its adoption:

Amend section three (3) of the committee amendment to Senate File 61 by striking from line 3 the word "plaintiff."

The motion prevailed and the amendment was adopted.

Senator Stanley offered the following amendment and moved its adoption:

Amend section two (2) of Senate File 61 by striking from line 9 thereof

the word "plaintiffs", and inserting in lieu thereof the words "parties to said action."

The motion prevailed and the amendment was adopted.

Senator Stanley offered the following amendment and moved its adoption:

Further amend Senate File 61 by striking sections three (3) and four (4), and inserting in lieu thereof the following:

"Sec. 3. That upon the filing of the cross-petition provided for in the preceding section the court shall set the same down for hearing and fix the time thereof.

"Sec. 4. The notice shall be addressed as follows: 'To all persons interested in the subject matter of this action.' The notice shall then contain a brief statement of plaintiff's cause of action and the defendant's cross-petition and the relief demanded by each, and shall direct the persons to whom it is addressed to appear and defend in said court, naming the court, on the date fixed in said notice or his default will be entered and judgment and decree rendered thereon against him.

"Sec. 5. The service of the notice of hearing on the cross-petition shall be given by publication and shall be published for two (2) consecutive weeks in some newspaper of general circulation published in the county in which such suit is brought. The last publication shall be at least twenty (20) days prior to the time fixed by the court for said hearing."

The motion prevailed and the amendment was adopted.

Senator Chrystal moved the previous question, which motion prevailed.

Senator Stanley moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 29:

Aschenbrenner	Driscoll	Knudson	Patterson
Beardsley	Elthon	Mason	Pendray
Berg	Fisch	McArthur	Schmidt
Billingsley	Goetsch	Meyer	Shaw
Chrystal	Grunewald	Miller	Stanley
Corwin	Hopkins	Mullaney	Stevens of
Dewey	Hush	Nelson	Decatur
Doze	Husted		

Nays, 11:

Baldwin	Harrington	Parker	Valentine
Byers	Irwin	Shangle	Wilson
Donohue	Moore	Stevens of	
		Wapello	

Absent or not voting, 10:

Anderson	Bell of	Geske	Millhone
Bell of Crawford	Des Moines	Kimberly	Reese
	Calhoun	Malone	Roelofs

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

Senator Stanley moved that the vote by which Senate File 61 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTION TO RECONSIDER TAKEN UP

Senator Harrington called up for consideration his motion to reconsider the vote by which Senate File 156 failed to pass the Senate and by which it passed to its third reading, as found on page 657 of the Senate Journal.

Roll call revealed that all members of the Senate were not present.

Senator Harrington was granted unanimous consent to strike from his motion to reconsider the following words:

"and by which it passed to its third reading."

THIRD READING OF BILLS

Inasmuch as the call of the Senate was not complete, Senator McArthur was granted unanimous consent to suspend the rules and call up Senate File 223, a bill for an act to amend sections twenty-seven hundred twenty-three (2723), twenty-seven hundred twenty-four (2724), twenty-seven hundred twenty-five (2725), twenty-seven hundred twenty-six (2726), and twenty-seven hundred thirty-seven (2737), Code of Iowa, 1931, limiting the time of and clarifying the amount of fees charged for schools of instruction in the use of anti-hog-cholera serum and virus; clarifying provisions as to the time for issuance of permits and information; and declaring an emergency, with report of committee recommending passage, which was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Reese moved the previous question, which motion prevailed.

Senator McArthur moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 24:

Calhoun	Grunewald	Mullaney	Shangle
Chrystal	Harrington	Nelson	Stevens of
Doze	Hush	Pendray	Decatur
Driscoll	Knudson	Reese	Stevens of
Elthon	Malone	Roelofs	Wapello
Fisch	Mason	Schmidt	Valentine
Goetsch	Miller		

Nays, 22:

Anderson	Billingsley	Husted	Parker
Aschenbrenner	Byers	Irwin	Patterson
Beardsley	Corwin	McArthur	Shaw
Bell of	Dewey	Meyer	Stanley
Des Moines	Donohue	Millhone	Wilson
Berg	Hopkins	Moore	

Absent or not voting, 4:

Baldwin	Bell of Crawford	Geske	Kimberly
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Rule 8 was invoked.

The bill not having received a constitutional majority was declared to have failed to pass the Senate.

By unanimous consent granted Senator Fisch, the rules were suspended and Senate File 138, a bill for an act to amend chapter thirty-six (36), Code, 1931, by amending section six hundred twenty-seven (627) and striking section six hundred thirty-eight (638), as the same relate to the election and duties of a county chairman and a county chairwoman, and the election of the members of the state central committee, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wilson moved that action on Senate File 138 be deferred.

The question was, Shall action on the bill be deferred?

On the question, Shall action on the bill be deferred? the vote was:

Ayes, 12:

Anderson	Billingsley	Husted	Schmidt
Baldwin	Byers	Nelson	Shaw
Berg	Hopkins	Parker	Wilson

Nays, 27:

Beardsley	Driscoll	Knudson	Pendray
Bell of	Elthon	Malone	Reese
Des Moines	Fisch	Mason	Roelofs
Calhoun	Goetsch	McArthur	Shangle
Chrystal	Grunewald	Meyer	Stanley
Corwin	Harrington	Miller	Stevens of
Dewey	Hush	Mullaney	Decatur
Doze			

Absent or not voting, 11:

Aschenbrenner	Geske	Millhone	Stevens of
Bell of Crawford	Irwin	Moore	Wapello
Donohue	Kimberly	Patterson	Valentine

The motion to defer action was lost.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 28:

Anderson	Donohue	Hush	Pendray
Aschenbrenner	Doze	Malone	Reese
Beardsley	Driscoll	Mason	Roelofs
Bell of	Elthon	McArthur	Shangle
Des Moines	Fisch	Miller	Stanley
Calhoun	Goetsch	Millhone	Stevens of
Chrystal	Grunewald	Mullaney	Wapello
Dewey	Harrington		

Nays, 17:

Baldwin	Husted	Parker	Stevens of
Billingsley	Irwin	Patterson	Decatur
Byers	Knudson	Schmidt	Valentine
Corwin	Meyer	Shaw	Wilson
Hopkins	Nelson		

Absent or not voting, 5:

Bell of Crawford	Geske	Kimberly	Moore
Berg			

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

Senator Fisch moved that the vote by which Senate File 138 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent granted Senator Donohue, the rules were suspended and Senate File 214, a bill for an act to amend chapter nineteen (19) of the acts of the Forty-fifth General Assembly in Extraordinary Session relating to the citizen qualifications of applicants for old age assistance, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Donohue moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 42:

Aschenbrenner	Donohue	Malone	Reese
Baldwin	Doze	Mason	Roelofs
Beardsley	Driscoll	Meyer	Schmidt
Bell of	Elthon	Miller	Shangle
Des Moines	Fisch	Millhone	Shaw
Berg	Goetsch	Moore	Stanley
Billingsley	Grunewald	Mullaney	Stevens of
Byers	Harrington	Nelson	Decatur
Calhoun	Hopkins	Parker	Stevens of
Chrystal	Hush	Patterson	Wapello
Corwin	Irwin	Pendray	Wilson
Dewey	Knudson		

Nays, 1:

Anderson

Absent or not voting, 7:

Bell of Crawford	Husted	McArthur	Valentine
Geske	Kimberly		

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

Senator Donohue moved that the vote by which Senate File 214 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent granted Senator Malone, the rules were suspended and Senate File 348, a bill for an act providing for the adjustment and payment of delinquent taxes and declaring an emergency, was taken up and considered.

The bill was read for information.

ACTION DEFERRED ON SENATE FILE 348

By unanimous consent granted Senator Stanley, action on Senate File 348 was deferred.

MOTION TO RECONSIDER CONSIDERED

The absent Senators having appeared in the Senate, the call of the Senate was declared to be complete.

Senator Harrington moved that the Senate reconsider the vote by which Senate File 156 failed to pass the Senate.

Senator Patterson moved to lay the motion to reconsider on the table.

Roll call was requested.

The question was, Shall the motion to reconsider be tabled?

On the question, Shall the motion to reconsider be tabled? the vote was:

Ayes, 15:

Berg	Corwin	McArthur	Pendray
Billingsley	Donohue	Millhone	Stanley
Byers	Hopkins	Nelson	Wilson
Calhoun	Husted	Patterson	

Nays, 34:

Anderson	Doze	Irwin	Parker
Aschenbrenner	Driscoll	Kimberly	Reese
Baldwin	Elthon	Knudson	Roelofs
Beardsley	Fisch	Malone	Schmidt
Bell of Crawford	Geske	Mason	Shangle
Bell of	Goetsch	Meyer	Shaw
Des Moines	Grunewald	Miller	Stevens of
Chrystal	Harrington	Moore	Decatur
Dewey	Hush	Mullaney	Valentine

Absent or not voting, 1:

Stevens of
Wapello

The motion to lay on the table was lost.

Senator Baldwin moved the previous question on the pending motion to reconsider, which motion prevailed.

By unanimous consent, Senators Pendray and Hush were excused from the call of the Senate.

The question was, Shall the motion to reconsider prevail?

On the question, Shall the motion to reconsider prevail? the vote was:

Ayes, 29:

Anderson	Doze	Kimberly	Parker
Baldwin	Driscoll	Knudson	Reese
Beardsley	Elthon	Malone	Roelofs
Bell of Crawford	Fisch	Mason	Schmidt
Bell of	Geske	Meyer	Shangle
Des Moines	Goetsch	Miller	Stevens of
Chrystal	Harrington	Moore	Decatur
Dewey	Irwin	Mullaney	

Nays, 18:

Berg	Donohue	Millhone	Stevens of
Billingsley	Grunewald	Nelson	Wapello
Byers	Hopkins	Patterson	Valentine
Calhoun	Husted	Shaw	Wilson
Corwin	McArthur	Stanley	

Absent or not voting, 3:

Aschenbrenner	Hush	Pendray
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The motion to reconsider prevailed.

The question was, Shall the bill pass?

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

Ayes, 26:

Anderson	Doze	Irwin	Parker
Baldwin	Driscoll	Knudson	Reese
Beardsley	Elthon	Malone	Roelofs
Bell of Crawford	Fisch	Mason	Schmidt
Bell of	Geske	Meyer	Shangle
Des Moines	Goetsch	Moore	Stevens of
Chrystal	Harrington	Mullaney	Decatur

Nays, 22:

Aschenbrenner	Dewey	McArthur	Stanley
Berg	Donohue	Miller	Stevens of
Billingsley	Grunewald	Millhone	Wapello
Byers	Hopkins	Nelson	Valentine
Calhoun	Husted	Patterson	Wilson
Corwin	Kimberly	Shaw	

Absent or not voting, 2:

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

Senator Harrington moved that the vote by which Senate File 156 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE 156 MESSAGED TO HOUSE

By unanimous consent granted Senator Harrington, it was ordered that Senate File 156 be messaged to the House immediately.

Senator Wilson was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 378, by committee on cities and towns, a bill for an act providing that cities having a population between forty-two thousand (42,000) and forty-five thousand (45,000) and having an area of not less than fifteen (15) square miles may construct storm sewers, condemn property and levy a four (4) mill tax for storm sewer purposes, and may anticipate such tax and issue bonds, on resolution of the council, payable only out of such tax, and making Code section sixty-two hundred sixty-four (6264) applicable to such bonds.

The bill was read first and second times and placed on the calendar.

Senate File 379, by committee on cities and towns, a bill for an act to legalize expenditures heretofore made by the city of Davenport, Iowa, a municipal corporation acting under special charter, on account of the care, maintenance and operations of a municipal airport.

The bill was read first and second times and placed on the calendar.

Senate File 380, by committee on cities and towns, a bill for an act to legalize the corporate acts and proceedings of the Davenport Auto Truck Company of Davenport, Iowa.

The bill was read first and second times and placed on the calendar.

Senate File 381, by committee on cities and towns, a bill for an act to amend chapters six hundred twenty-seven (627), six hundred twenty-eight (628), six hundred twenty-nine (629), six hundred thirty (630) and six hundred thirty-one (631), Code, 1931, relating to the qualifications of sureties on criminal bail bonds and creating and establishing professional criminal bail bondsmen, and providing for the qualification thereof; providing for the deposit of money and negotiable securities and listing of real estate with the county treasurer of the county in which said professional criminal bail bondsman resides, and for the deposit thereof by the

county treasurer; providing for the issuance of a certificate of authority to said professional bail bondsman by the county treasurer; providing for the qualifications of a corporation to act as a professional bail bondsman; limiting the number of criminal bail bonds, and the amount thereof, to be signed by any professional criminal bail bondsman; providing for the endorsement on the certificate of a professional criminal bail bondsman of any bond executed by him, and the release thereof, by the clerk, judge or magistrate of any court in the state; providing for the increase or decrease in the amount of money, negotiable bonds or real estate, posted as security by any professional bail bondsman; providing for a peremptory order of forfeiture of any criminal bail bond posted in any court in this state, and extending jurisdiction of all courts to empower said courts to make said forfeiture; providing for the forfeiture of criminal bail bonds without any other or additional notice to the surety or accused; providing for the setting aside of any judgment of forfeiture of any criminal bail bond within sixty (60) days thereafter, for good cause; providing for the appraisal of security deposited or listed with the county treasurer by any professional bail bondsman, and the reappraisal thereof from time to time; providing for the establishment of liens against the real estate, listed by professional bail bondsmen as security with the county treasurer and the release thereof, said lien to be in the total amount of the reasonable market value of said real estate; providing for forbidding the transfer or assignment of any security posted by professional bail bondsmen with the county treasurer, and making any assignments or transfers, so executed, void; providing for a sworn statement, to be made by said professional bail bondsman, to the county treasurer, at the time he qualifies as such; providing for the clerk, judge or magistrate of any court in this state, wherein a criminal bail bond is forfeited, to forward to the county treasurer, where the security of the professional bail bondsman is on deposit, a transcript of the record of the said forfeiture and judgment thereof; providing for the county treasurer satisfying said judgment or forfeiture after a lapse of sixty (60) days after receiving the transcript thereof; providing for empowering the county treasurer to transfer, negotiate and endorse the money or negotiable bonds on deposit with him by any professional bail bondsman, in order to satisfy any judgment of forfeiture; providing for any professional criminal bail bondsman designating in writing, the bank or depository wherein he

desires any money posted by him with the county treasurer, to be deposited, said depository to be in the county of his residence; providing that any money, deposited in compliance with the written designation of the professional bail bondsman, shall exonerate the county treasurer from any liability for the failure or default of the said depository; providing that any funds, by depositing in the bank or depository of this state by the county treasurer, on behalf of a professional criminal bail bondsman, shall be considered as trust funds, and shall be a preferred claim against said depository in event of failure or default of said depository; providing for the surrender, by professional criminal bail bondsman, of the certificate issued to him by the county treasurer, for proper endorsement by the clerk, judge or magistrate of any of the courts of this state; setting forth material questions involved in the forfeiture of a criminal bail bond, and providing that a defect in the drawing of an information or indictment, or the bond itself, shall be no defense to the forfeiture of a criminal bail bond; providing for the payment, by the county treasurer, to the professional bail bondsman, any interest or dividends, received by the county treasurer as a result of depositing or holding any securities or funds of said professional bail bondsman; providing that all funds and securities posted with the county treasurer by any professional bail bondsman, shall be exempt from garnishment or attachment; providing a penalty for the violation of any of the provisions of this act by any professional criminal bail bondsman, and for falsifying or concealing any facts regarding security posted by said criminal bail bondsman, and for the revocation of the certificate of any criminal bail bondsman; providing for a statement, in writing, of any bail bondsman of any criminal bond which he executes, stating that he is sufficiently qualified to execute the same; providing a penalty for persons signing as surety on more than three criminal bail bonds in force and effect at one time without qualifying as professional bail bondsman; repealing all acts, and parts of acts, now in conflict with this act; providing that the declaration of any part of this act, shall not be a declaration of the entire act, as unconstitutional.

The bill was read first and second times and placed on the calendar.

COPIES OF BILLS ORDERED

By unanimous consent granted Senator Stanley, it was ordered that 600 copies of Senate File 61, as passed by the Senate, be printed.

By unanimous consent granted Senator Miller, it was ordered that 600 copies of Senate File 334 be printed.

The following concurrent resolution was filed:

SENATE CONCURRENT RESOLUTION 21

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

1. There is hereby established the Iowa Commission on Interstate Cooperation, whose function it shall be to perfect the participation of this state in the council of state governments, for the purpose of establishing and maintaining governmental machinery to facilitate communication, negotiation, understanding, and co-operation between the state of Iowa and the other states of the Union, both regionally and nationally.

2. The commission shall report to the Governor and to the legislature on the first day of each regular legislative session, and at such other times as it deems proper. Its members shall serve without compensation, but they shall be paid their necessary expenses in carrying out their obligations under this resolution. It may employ a secretary and such other assistants as are needed in the performance of its duties or it may share the expense of such employment with similar commissions of other states.

3. The said commission shall be composed of fifteen (15) members, namely:

The five (5) members of the committee on interstate co-operation of the Senate,

The five (5) members of the committee on interstate co-operation of the House of Representatives, and

Five (5) officials of the state named by the Governor, one of whom shall be designated by him as the chairman of the commission.

4. The said committees of the Senate and of the House of Representatives, hereby or heretofore established, shall be standing committees, and their members shall be designated as are the members of other standing committees. These committees shall function during the regular sessions of the legislature, and also during the interim periods between such sessions; their members shall serve until their successors are designated; and they shall constitute the Iowa Councils of the American Legislators' Association.

5. The secretary of state of Iowa shall forthwith communicate the text of this measure to the Governor and to the legislature of each of the other states of the Union, with the respectful request that each legislature shall enact a measure similar to this resolution, thus establishing a similar commission with like duties and powers, and thus joining with this

state in the common cause of reducing the burdens which are imposed upon our citizens by governmental confusion, competition, and conflict.

G. E. ROELOFS.

ROY E. STEVENS.

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which Senate File 223 failed to pass in the Senate.

WM. MCARTHUR.

AMENDMENTS FILED

Amend Senate File 320 by striking the words and figures: "less than two (2) and seventy-five hundredths (.75) per cent of alcohol by weight or" in lines 8 and 9 of section fourteen (14).

C. E. MALONE.

A. J. SHAW.

Amend Senate File 357 in section twelve (12) by striking from lines 3, 4, 5 and 6 the following words: "by adding to line 10, the following sentence: 'The county recorder shall not charge a fee for such recording and indexing.' Further amend said section."

Further amend said act by striking section twenty-two (22) thereof.

Further amend section twenty-four (24) of said act by striking therefrom lines 25 to 52 inclusive.

CLAUDE STANLEY.

Amend the committee amendment on Senate File 194 by adding as section three (3), the following:

"Sec. 3. The rear plate shall be illumined so as to render the number visible for a distance of at least one hundred fifty (150) feet, from one-half ($\frac{1}{2}$) hour before sunset, and one-half ($\frac{1}{2}$) hour before sunrise."

GEO. M. HOPKINS.

Amend Senate File 362, section one (1), line 16, by striking the word "reserve" and inserting in lieu thereof the word "banking."

VINCENT F. HARRINGTON.

REPORTS OF COMMITTEES

Senator Grunewald submitted the following report:

MR. PRESIDENT: Your committee on livestock and dairy to which was referred House File 156, a bill for an act to amend section three thousand sixty (3060), Code, 1931, relating to the sale of adulterated food, begs leave to report it has had the same under consideration and recommends the same do pass.

H. J. GRUNEWALD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on livestock and dairy to which was referred House File 157, a bill for an act to amend section twenty-eight

hundred twelve (2812) of the Code, 1931, relating to license fees for hotels and restaurants, providing for a license fee for movable lunch stands, begs leave to report it has had the same under consideration and recommends the same do pass.

H. J. GRUNEWALD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on livestock and dairy to which was referred Senate File 285, a bill for an act to regulate the practice of buttermaking and to provide for a board to regulate the practice of buttermaking and the licensing of buttermakers and to provide for the qualifications of those applying for licenses and to provide penalties for the violation of this act, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

H. J. GRUNEWALD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on livestock and dairy to which was rereferred Senate File 322, a bill for an act relating to milk and the products thereof; declaring an emergency with respect to their production and marketing; creating a milk marketing board; establishing and defining its jurisdiction, powers and duties; regulating the production, transportation, manufacture, processing, storage, distribution, delivery and sale of milk and the products thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

H. J. GRUNEWALD, *Chairman*.

Ordered passed on file.

Senator Roelofs submitted the following report:

MR. PRESIDENT: Your committee on departmental affairs to which was referred Senate File 190, a bill for an act to repeal section nineteen hundred five-b eight (1905-b8) and section nineteen hundred five-b eleven (1905-b11), and to amend sections nineteen hundred five-b nine (1905-b9), nineteen hundred five-b ten (1905-b10) and nineteen hundred five-b fourteen (1905-b14), Code, 1931, relating to the powers and duties of the board of architectural examiners, and to the examination and registration of architects, begs leave to report it has had the same under consideration and recommends the same do pass.

G. E. ROELOFS, *Chairman*.

Ordered passed on file.

Senator Wilson submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File 133, a bill for an act to amend section sixty-one hundred forty-four (6144), Code, 1931, relating to the management of municipally owned waterworks, heating plant, or electric light or power plant, begs leave to report it has had the same under consideration and recommends the same do pass.

GEORGE A. WILSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File 270, a bill for an act to define and regulate the installation of compressed gas systems, begs leave to report it has had the same under consideration and recommends the same do pass.

GEORGE A. WILSON, *Chairman.*

Ordered passed on file.

Senator Nelson moved that the Senate adjourn until 10:00 a. m. Monday, April 15th.

As a substitute motion, Senator Roelofs moved that the Senate adjourn until 10:00 a. m. Saturday.

The chair called for a division of the vote and announced that the motion to substitute prevailed and the substitution was made. The substitute motion prevailed and the Senate adjourned until 10:00 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 13, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. W. M. Berry, pastor of the A. M. E. church at Albia.

The Journal of April 12, 1935 was approved.

Roll call revealed that a quorum of the Senate was not present.

SIFTING COMMITTEE

President N. G. Kraschel announced the appointment of the following Senators as members of the sifting committee: Senator Irwin, chairman, and Senators Harrington, Valentine, Baldwin, Bell of Crawford, Bell of Des Moines, Byers, Kimberly, Knudson, Driscoll and Hush.

RESIGNATION OF COMMITTEE CLERK

I hereby tender my resignation as committee clerk to Senator John N. Calhoun to be effective April 15, 1935. EDITH L. KENNEDY.

The resignation was accepted. N. G. KRASCHEL, *President*.

AMENDMENTS FILED

Amend Senate File 357:

1. By striking from line 6 of section one (1) the word "one" and inserting in lieu thereof the word "he."

2. By striking lines 10 to 18, inclusive, of section eight (8) and inserting in lieu thereof the following:

"Further amend said section by striking lines 6 and 7 and inserting in lieu thereof the following:

"c, Is a citizen of the United States."

By striking from line 22 of section eight (8) the word "ten" and inserting in lieu thereof the word "nine."

By striking from line 26 of section eight (8) the words "thirty-six months" and inserting in lieu thereof the words "four years."

By striking from line 31 of section eight (8) the word "ten" and inserting in lieu thereof the word "nine."

By striking from line 32 of section eight (8) the word "three" and inserting in lieu thereof the word "one."

By striking from line 35 of section eight (8) the words "six months" and inserting in lieu thereof the words "thirty days."

By striking from line 36 of section eight (8) the words "three years" and inserting in lieu thereof the words "one year."

3. By striking from line 23 of section twelve (12) the word "commission's."

4. By striking from lines 4 and 5 of section twenty-three (23) the words "state board of assessment and review" and inserting in lieu thereof the words "auditor of state."

5. By striking from line 23 of section twenty-three (23) the word "serve" and inserting in lieu thereof the words "cause to be served a."

By inserting, following the word "notice" in line 24 of section twenty-three (23), the words and punctuation " , which shall be served in the same manner as an original notice,".

By inserting, following the word "due" in line 25 of section twenty-three (23), the words "and costs of collection."

By inserting, following the word "paid" in line 27 of section twenty-three (23), the words "in tax, penalty and cost of collection."

By inserting, following the word "employee" in line 28 of section twenty-three (23), the words "but costs of collection shall not be chargeable unless the tax and penalties are collected."

By inserting, following line 40 of section twenty-three (23), the paragraph:

"The penalties accruing under the provisions of this section shall accompany the tax and be credited to the old age pension fund."

HOMER HUSH.

Senator Schmidt moved that the Senate adjourn until 10:00 a. m., Monday.

As a substitute motion, Senator Shaw moved that the Senate recess until 11:00 a. m.

Senator Schmidt raised the point of order that a motion to adjourn had precedence over a motion to recess. The chair sustained the point.

The chair called for a division of the vote on the motion to adjourn and announced the motion prevailed. The Senate adjourned until 10:00 a. m., Monday, April 15th.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 15, 1935.

The Senate met in regular session, President pro tempore Harold L. Irwin presiding.

Prayer was offered by Rev. Henry McCraven, pastor of the St. Paul A. M. E. Church of Des Moines.

The Journal of April 13, 1935, was approved.

INTRODUCTION OF BILLS

Senate File 382, by committee on elections and contests, a bill for an act to amend section five hundred forty-seven (547), and to repeal section six hundred eighteen (618) and to enact a substitute therefor, both of the Code, 1931, relating to the method of nominating delegates to county conventions.

The bill was read first and second times and referred to the sifting committee.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun 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 17 and 63.

JOHN N. CALHOUN, *Chairman Senate Committee.*
DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files 17 and 63.

REPORT OF COMMITTEE ON COMMITTEE CLERKS

MR. PRESIDENT: Your committee on committee clerks has assigned C. N. Calhoun as committee clerk for Senator Calhoun to begin April 16th.

PAUL ANDERSON.

WM. S. BEARDSLEY.

JAMES M. BELL.

Placed on file.

COMMITTEE CLERK SWORN IN

C. N. Calhoun appeared before the bar of the Senate and took the required oath of office as committee clerk for Senator John N. Calhoun.

COMMUNICATIONS RECEIVED

The following communications were received and placed on file:

CONGRESS OF THE UNITED STATES

HOUSE OF REPRESENTATIVES

Washington, D. C.

Committee: Judiciary.

April 12, 1935.

Mr. Hedo M. Zacherle
Secretary of the Senate
Iowa General Assembly
State House
Des Moines, Iowa.

My Dear Mr. Zacherle:

This will acknowledge your favor of recent date, transmitting Senate Concurrent Resolution Number 16, in regard to House Resolution 2024, the so-called Philippine Travel Pay Bill.

For the information of the Assembly I will say that I am in favor of this resolution and expect to support same when it comes before the House of Representatives.

With best wishes, I am,

Sincerely yours,

HUBERT UTTERBACK.

CONGRESS OF THE UNITED STATES

HOUSE OF REPRESENTATIVES

Washington, D. C.

Committees: Education, Roads, Claims.

April 12, 1935.

Mr. H. M. Zacherle
Secretary of the Senate
State House
Des Moines, Iowa.

My Dear Mr. Zacherle:

Receipt is acknowledged of the copy of the resolution adopted by the

Senate, with the concurrence of the House, memorializing Congress to enact into law H. R. 2024.

This is a measure which has my hearty support, and I hope that it will be reported to the House. I feel sure that if it could reach the stage of consideration in the House there would be very little opposition to it.

Yours sincerely,

JOHN W. GWYNNE.

ACTION ON SENATE FILE 320 DEFERRED

By unanimous consent granted Senator Geske, action on Senate File 320 was deferred until 10:00 a. m., Tuesday.

ACTION ON BILLS DEFERRED

By unanimous consent granted Senator Wilson, it was ordered that action on Senate File 133 be temporarily deferred.

By unanimous consent granted Senator Elthon, it was ordered that action on Senate File 135 be temporarily deferred.

Senator Donohue moved that all bills except special orders, unfinished business, bills on claims and appropriations, Senate File 51 and its companion bill, House File 85, be referred to the sifting committee.

The chair ruled that all motions to reconsider would be regarded as unfinished business.

Senator Mason moved that Senate File 217 be withheld from the sifting committee and made a special order of business.

Senator Stevens of Wapello raised the point of order that the question of Senate File 217 being made a special order of business had been before the Senate during the past week and had been voted down and hence Senator Mason's motion was out of order.

The chair sustained the point.

Senator Malone moved that all bills by the committee on emergency legislation be withheld from the sifting committee.

Senator Shaw moved to amend the Donohue motion so that all bills placed on the calendar for Saturday would be withheld from the sifting committee.

As a substitute for all pending motions, Senator Wilson moved that the Senate, during the morning session, devote its time to the consideration of non-controversial bills, and at noon all bills

on the calendar with the exception of special orders, unfinished business, and bills by the claims committee and committee on appropriations, be referred to the sifting committee, which motion prevailed.

The substitution was made and the substitute motion prevailed.

In accordance with the adoption of the Wilson motion, the following bills were called up for consideration:

THIRD READING OF BILLS

Senate File 378, a bill for an act providing that cities having a population between forty-two thousand (42,000) and forty-five thousand (45,000) and having an area of not less than fifteen (15) square miles may construct storm sewers, condemn property and levy a four (4) mill tax for storm sewer purposes, and may anticipate such tax and issue bonds, on resolution of the council, payable only out of such tax, and making Code section sixty-two hundred sixty-four (6264) applicable to such bonds, was taken up and considered.

The bill was read for information.

Senator Moore moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 41:

Baldwin	Donohue	Irwin	Reese
Beardsley	Doze	Kimberly	Roeclofs
Bell of Crawford	Driscoll	Knudson	Schmidt
Bell of	Elthon	Malone	Shangle
Des Moines	Fisch	McArthur	Shaw
Berg	Geske	Meyer	Stanley
Billingsley	Goetsch	Miller	Stevens of
Byers	Grunewald	Moore	Decatur
Calhoun	Harrington	Mullaney	Valentine
Corwin	Hopkins	Patterson	Wilson
Dewey	Husted	Pendray	

Nays, none.

Absent or not voting, 9:

Anderson	Hush	Nelson	Stevens of
Aschenbrenner	Mason	Parker	Wapello
Chrystal	Millhone		

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

SENATE FILE 378 MESSAGED TO HOUSE

Senator Moore was granted unanimous consent that the rules be suspended and Senate File 378 messaged to the House immediately.

THIRD READING OF BILLS

House File 122, a bill for an act to amend section fifty-seven hundred seventy-three (5773), Code, 1931, relating to city or town halls and providing for joint ownership with townships, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Shaw moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 42:

Anderson	Donohue	Irwin	Reese
Baldwin	Doze	Kimberly	Roelofs
Beardsley	Driscoll	Knudson	Schmidt
Bell of Crawford	Elthon	Malone	Shangle
Bell of	Geske	McArthur	Shaw
Des Moines	Goetsch	Meyer	Stanley
Berg	Grunewald	Millhone	Stevens of
Billingsley	Harrington	Mullaney	Decatur
Byers	Hopkins	Nelson	Stevens of
Calhoun	Hush	Patterson	Wapello
Corwin	Husted	Pendray	Wilson
Dewey			

Nays, none.

Absent or not voting, 8:

Aschenbrenner	Fisch	Miller	Parker
Chrystal	Mason	Moore	Valentine

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

By unanimous consent granted Senator Valentine, House File 250 was withdrawn from the committee on judiciary No. 1, placed upon the calendar and called up for consideration.

House File 250, a bill for an act to make permanent a temporary

transfer of funds in Appanoose county, Iowa, from the bovine tuberculosis fund to the pauper fund of said county, was taken up and considered.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 44:

Anderson	Donohue	Irwin	Roelofs
Baldwin	Doze	Kimberly	Schmidt
Beardsley	Driscoll	Malone	Shangle
Bell of Crawford	Elthon	McArthur	Shaw
Bell of Des Moines	Fisch	Meyer	Stanley
Berg	Geske	Miller	Stevens of Decatur
Byers	Goetsch	Millhone	Stevens of Wapello
Calhoun	Grunewald	Moore	Valentine
Chrystal	Harrington	Mullaney	Wilson
Corwin	Hopkins	Nelson	
Dewey	Hush	Patterson	
	Husted	Pendray	

Nays, none.

Absent or not voting, 6:

Aschenbrenner	Knudson	Parker	Reese
Billingsley	Mason		

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

Senate File 364, a bill for an act to legalize action of the board of supervisors of Dallas county, Iowa, in making expenditures from the Dallas county insane fund for the purpose of paying the expenses and maintenance of the Dallas county home, was taken up and considered.

Senator Shangle offered the following amendment and moved its adoption:

Amend Senate File 364, section three (3), line 5, by striking the period after the word "Iowa" and inserting in lieu thereof ", without expense to the state."

The motion prevailed and the amendment was adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 42:

Anderson	Doze	Kimberly	Roelofs
Baldwin	Driscoll	Knudson	Schmidt
Bell of Crawford	Elthon	McArthur	Shangle
Bell of	Fisch	Meyer	Shaw
Des Moines	Goetsch	Miller	Stanley
Berg	Grunewald	Millhone	Stevens of
Billingsley	Harrington	Moore	Decatur
Byers	Hopkins	Mullaney	Stevens of
Calhoun	Hush	Nelson	Wapello
Corwin	Husted	Patterson	Valentine
Dewey	Irwin	Pendray	Wilson
Donohue			

Nays, none.

Absent or not voting, 8:

Aschenbrenner	Chrystal	Malone	Parker
Beardsley	Geske	Mason	Reese

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

Senator Hopkins moved that the vote by which Senate File 364 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE 364 MESSAGED TO HOUSE

Senator Hopkins was granted unanimous consent that the rules be suspended and Senate File 364 be messaged to the House immediately.

THIRD READING OF BILLS

Senate File 321, a bill for an act to amend chapter six hundred sixteen-D-one (616-D1), Code, 1931, as amended by the acts of the Forty-fifth General Assembly, Extraordinary Session, relating to Iowa police radio system and to provide an appropriation therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Baldwin offered the following amendment and moved its adoption:

Amend Senate File 321, section three (3), by inserting as the two newspapers, the following: "The Daily Tribune", a newspaper published in the town of "Dubuque", and "The Hopkinton Leader", a newspaper published in the town of "Hopkinton."

The motion prevailed and the amendment was adopted.

Senator Berg offered the following amendment and moved its adoption:

Amend Senate File 321, section one (1), line 16, by striking the word "or" and inserting in lieu thereof the word "and."

The motion prevailed and the amendment was adopted.

Senator Hush moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 46:

Anderson	Doze	Knudson	Pendray
Baldwin	Driscoll	Malone	Reese
Beardsley	Elthon	Mason	Roelofs
Bell of Crawford	Fisch	McArthur	Schmidt
Bell of	Goetsch	Meyer	Shangle
Des Moines	Grunewald	Miller	Shaw
Berg	Harrington	Millhone	Stanley
Billingsley	Hopkins	Moore	Stevens of
Byers	Hush	Mullaney	Decatur
Calhoun	Husted	Nelson	Stevens of
Corwin	Irwin	Parker	Wapello
Dewey	Kimberly	Patterson	Wilson
Donohue			

Nays, none.

Absent or not voting, 4:

Aschenbrenner	Chrystal	Geske	Valentine
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The bill as amended having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hush moved that the vote by which Senate File 321 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

HOUSE AMENDMENTS CONSIDERED

Senator Harrington called up for consideration Senate File 118, amended by the House, and moved that the Senate concur in the following amendments:

HOUSE AMENDMENTS TO SENATE FILE 118

1. Insert after section two (2) the following section:
 "Sec. 3. That section ninety-one hundred eighty-three (9183) of the Code, 1931, as amended by the acts of the Forty-fifth General Assembly, Extraordinary Session, be and the same is hereby amended by adding after the word 'organization' in line 10 of subdivision six (6) thereof the following:

' , and an amount not in excess of fifteen (15) per cent of their capital stock and surplus in capital stock of any national mortgage association authorized under Title III of the national housing act approved June 27, 1934, or any amendments thereto.' "

2. Renumber remaining sections.

3. Amend section five (5), as renumbered, by changing the period at the end thereof to a comma and adding the following: "provided that nothing in this act shall deny equal privileges to national banks located in this state insofar as such banks now or later may be authorized by federal law to carry on federal housing administration loan work."

4. Amend the title by striking all after the word "amend" in line 1 and substituting the following:

"section ninety-one hundred eighty-three (9183), Code, 1931, as amended by the acts of the Forty-fifth General Assembly in the Extraordinary Session and section ninety-two hundred twenty-three (9223), Code, 1931, pertaining to investment of funds and limitations of liabilities of state banks, savings banks and trust companies and authorizing state banks, savings banks and trust companies to make loans pursuant to Titles I and II of the national housing act; or amendments to said act, and to invest in mortgages insured, and in debentures issued, by the federal housing administrator and to invest in capital stock and securities of national mortgage associations, or similar credit institutions; allowing equal privileges to national banks authorized by federal law to make such loans; providing rules of construction; and providing for this act to take effect from and after publication."

The question was, Shall the Senate concur?

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

Ayes, 41:

Anderson	Berg	Doze	Harrington
Aschenbrenner	Billingsley	Driscoll	Hopkins
Baldwin	Byers	Elthon	Hush
Beardsley	Corwin	Fisch	Irwin
Bell of	Dewey	Goetsch	Knudson
Des Moines	Donohue	Grunewald	Malone

Mason	Moore	Reese	Stevens of
McArthur	Mullaney	Roelofs	Decatur
Meyer	Nelson	Schmidt	Stevens of
Miller	Parker	Shaw	Wapello
Millhone	Pendray	Stanley	Valentine

Nays, 1:

Wilson

Absent or not voting, 8:

Bell of Crawford	Chrystal	Husted	Patterson
Calhoun	Geske	Kimberly	Shangle

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

Senator Harrington moved that the bill as amended be given its final reading and be placed upon its passage, which motion prevailed, and the bill as amended was read.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 41:

Anderson	Donohue	Kimberly	Reese
Aschenbrenner	Doze	Malone	Roelofs
Baldwin	Elthon	Mason	Schmidt
Bell of	Fisch	McArthur	Shangle
Des Moines	Geske	Meyer	Shaw
Berg	Goetsch	Miller	Stanley
Billingsley	Grunewald	Millhone	Stevens of
Byers	Harrington	Moore	Decatur
Calhoun	Hopkins	Mullaney	Stevens of
Corwin	Hush	Parker	Wapello
Dewey	Irwin	Pendray	Valentine

Nays, 1:

Wilson

Absent or not voting, 8:

Beardsley	Chrystal	Husted	Nelson
Bell of Crawford	Driscoll	Knudson	Patterson

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

HOUSE AMENDMENTS CONSIDERED

Senator Baldwin called up for consideration Senate File 136, amended by the House, and moved that the Senate concur in the following amendments:

HOUSE AMENDMENTS TO SENATE FILE 136

1. Strike from section two (2) all of the last sentence.
2. Amend the title by striking the semicolon in line 3 and inserting in lieu thereof the word "and"; also further amend by striking all after the word "levies" in line 4 and inserting a period.

The question was, Shall the Senate concur?

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

Ayes, 42:

Anderson	Doze	Kimberly	Parker
Aschenbrenner	Driscoll	Knudson	Patterson
Baldwin	Elthon	Malone	Pendray
Beardsley	Fisch	Mason	Reese
Bell of	Geske	McArthur	Roelofs
Des Moines	Goetsch	Meyer	Shangle
Berg	Grunewald	Miller	Shaw
Billingsley	Harrington	Millhone	Stanley
Byers	Hopkins	Moore	Stevens of
Calhoun	Hush	Mullaney	Decatur
Corwin	Husted	Nelson	Valentine
Dewey	Irwin		

Nays, none.

Absent or not voting, 6:

Bell of	Crawford	Donohue	Stevens of	Wilson
Chrystal	Schmidt		Wapello	

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

Senator Baldwin moved that the bill as amended be given its final reading and the bill be placed on its passage, which motion prevailed, and the bill as amended was read.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 44:

Anderson	Doze	Kimberly	Reese
Aschenbrenner	Driscoll	Knudson	Schmidt
Baldwin	Elthon	Malone	Shangle
Beardsley	Fisch	Mason	Shaw
Bell of	Geske	McArthur	Stanley
Des Moines	Goetsch	Meyer	Stevens of
Berg	Grunewald	Miller	Decatur
Billingsley	Harrington	Millhone	Stevens of
Byers	Hopkins	Moore	Wapello
Calhoun	Hush	Mullaney	Valentine
Corwin	Husted	Patterson	Wilson
Dewey	Irwin	Pendray	

Nays, none.

Absent or not voting, 6:

Bell of Crawford Donohue
Chrystal Nelson

Parker

Roelofs

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

THIRD READING OF BILLS

Senate File 132, a bill for an act to amend chapter seven (7) and to repeal chapter eight (8), acts of Forty-fifth General Assembly, relating to the auditing of financial records of counties, schools, townships, cities, including cities under special charter, and other municipalities, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

The following committee amendments were adopted:

Amend Senate File 132 as follows:

Insert immediately after the word "taxpayers" in line 9 of section two (2) the following: "in such corporation, then on application of ten (10) per cent of the taxpayers."

Insert the words "and town" immediately after the word "city" in line 5 of section one (1).

Strike out the comma following the word "rural" in line 7 of section one (1), and insert in lieu thereof the word "and."

Strike from line 7 of section one (1) the following: "and town."

Strike out the comma following the word "rural" in line 11 of section one (1), and insert in lieu thereof the word "and."

Strike from line 11 of section one (1) the following: "and town."

Senator Knudson offered the following amendment and moved its adoption:

Amend Senate File 132, section four (4), by inserting as the two newspapers therein the following: "Dyersville Commercial", a newspaper published at "Dyersville", and "Daily Freeman-Journal," a newspaper published at "Webster City."

Senator Husted offered the following amendment and moved its adoption:

Amend Senate File 132, section four (4), by inserting as the two newspapers therein the following: "Indianola Herald", a newspaper published at "Indianola", and "Adair News", a newspaper published at "Adair."

By unanimous consent Senator Knudson withdrew his pending amendment.

The motion prevailed and the Husted amendment was adopted.

Senator Beardsley offered the following amendment and moved its adoption:

Amend Senate File 132 by striking the period after the word "be" in line 9, section two (2).

The motion prevailed and the amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 132 by striking all of section four (4) therefrom.

The motion prevailed and the amendment was adopted.

Senator Hopkins moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 42:

Anderson	Dewey	Irwin	Pendray
Aschenbrenner	Donohue	Kimberly	Reese
Baldwin	Doze	Malone	Roelofs
Beardsley	Elthon	Mason	Schmidt
Bell of Crawford	Fisch	McArthur	Shangle
Bell of	Geske	Meyer	Shaw
Des Moines	Goetsch	Millhone	Stanley
Berg	Grunewald	Moore	Stevens of
Billingsley	Hopkins	Mullaney	Decatur
Calhoun	Hush	Nelson	Valentine
Corwin	Husted	Parker	Wilson

Nays, none.

Absent or not voting, 8:

Byers	Harrington	Miller	Stevens of
Chrystal	Knudson	Patterson	Wapello
Driscoll			

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

Senator Hopkins moved that the vote by which Senate File 132 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE 132 MESSAGED TO HOUSE

Senator Hopkins was granted unanimous consent that the rules be suspended and Senate File 132 be messaged to the House immediately.

Senator McArthur asked unanimous consent to call up his motion to reconsider the vote by which Senate File 223 failed to pass the Senate, as found on page 955 of the Senate Journal. Objections were raised and the request denied.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 105, a bill for an act relating to county auditors' salaries.

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

House File 473, a bill for an act to make an appropriation to Charles Flinchum.

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

House File 474, a bill for an act making an appropriation to Marion Stephens.

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

House File 475, a bill for an act making an appropriation to Guy Boyles.

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

House File 476, a bill for an act making an appropriation to Clarence R. Killion.

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

House File 477, a bill for an act making an appropriation to Mamie V. Grimso.

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

House File 478, a bill for an act making an appropriation to Dolan Allen.

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

House File 479, a bill for an act making an appropriation to Carl Feucht and the National Refining Company.

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

House File 480, a bill for an act making an appropriation to Arthur H. Peterson.

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

House File 481, a bill for an act making an appropriation to Reed McMurray and Roy Marinelli.

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

House File 482, a bill for an act making an appropriation to George Kanak.

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

House File 483, a bill for an act making an appropriation to John Kanak.

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

Senate File 50, a bill for an act prescribing certain powers and duties of nurse examiners and their secretary.

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

Senate File 117, a bill for an act legalizing the action of the board of supervisors and auditor of Wayne county, Iowa, in regard to the poor fund of said county.

VIRGIL LEKIN, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 105, a bill for an act to amend chapter fifty-nine (59), section one (1), acts of the Forty-fifth General Assembly, Extraordinary Session, relating to county auditors' salaries.

The bill was read first and second times and referred to the sifting committee.

House File 473, a bill for an act to make an appropriation to Charles Flinchum.

The bill was read first and second times and referred to the committee on appropriations.

House File 474, a bill for an act to make an appropriation to Marion Stephens.

The bill was read first and second times and referred to the committee on appropriations.

House File 475, a bill for an act to make an appropriation to Guy Boyles.

The bill was read first and second times and referred to the committee on appropriations.

House File 476, a bill for an act to make an appropriation to Clarence R. Killion.

The bill was read first and second times and referred to the committee on appropriations.

House File 477, a bill for an act to make an appropriation to Mamie V. Grimso.

The bill was read first and second times and referred to the committee on appropriations.

House File 478, a bill for an act to make an appropriation to Dolan Allen.

The bill was read first and second times and referred to the committee on appropriations.

House File 479, a bill for an act to make appropriations to Carl Feucht and the National Refining Company.

The bill was read first and second times and referred to the committee on appropriations.

House File 480, a bill for an act to make an appropriation to Arthur H. Peterson.

The bill was read first and second times and referred to the committee on appropriations.

House File 481, a bill for an act to make an appropriation to Reed McMurray and Roy Marinelli.

The bill was read first and second times and referred to the committee on appropriations.

House File 482, a bill for an act to make an appropriation to George Kanak.

The bill was read first and second times and referred to the committee on appropriations.

House File 483, a bill for an act to make an appropriation to John Kanak.

The bill was read first and second times and referred to the committee on appropriations.

REPORT OF CONFERENCE COMMITTEE ON SENATE FILE 115

MR. PRESIDENT AND MR. SPEAKER: We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House on Senate File 115, being a bill for an act to provide a system for the propagation, protection, development and use of outdoor resources; to consolidate the fish and game commission and

board of conservation, etc., beg leave to report that we have had the same under consideration and recommend that the House recede from its amendments and that the bill, as passed by the House, be amended by striking all of the title thereto and substituting in lieu thereof the following:

"An act to abolish the state board of conservation, the state fish and game commission, and the office of state forestry commissioner, and to impose the rights, powers and duties of said agencies on a new agency which shall be known as the state conservation commission; to create said latter commission and to define its rights, powers and duties; to coordinate various sections of the statutes with said change in the law and to this end to amend or repeal various sections and provisions of the statutes."

Further amend said bill by striking all after the enacting clause therein and substituting in lieu thereof the following:

"Section 1. Creation of commission—membership. There is hereby created a state conservation commission which shall consist of five (5) citizens of the state who are interested in and have substantial knowledge of the subjects embraced in this chapter. No two (2) of said members shall, when appointed, be residents of the same congressional district. Not more than three (3) of said members shall, when appointed, belong to the same political party. No person appointed to said commission shall during his term hold any other state or federal office.

"Sec. 2. Appointment. Said members shall be appointed by the Governor with the approval of two-thirds (2/3) of the members of the Senate.

"Sec. 3. Initial appointments. Upon the taking effect of this chapter, the Governor shall make the first appointments as follows:

1. Two (2) for a term ending July 1, 1937.
2. One (1) for a term ending July 1, 1939.
3. Two (2) for a term ending July 1, 1941.

"Sec. 4. Full-time appointments. During the session of the General Assembly in 1937 and at a corresponding time each two (2) years thereafter, the Governor shall appoint one (1) or two (2) members, as the case may be, for a full term of six (6) years.

"Sec. 5. Vacancies. In case of vacancies, the Governor shall appoint for the unexpired portion of the term, and if the General Assembly be not then in session the Governor shall, upon the convening of the General Assembly, promptly report said appointment to the Senate for its approval.

"Sec. 6. Compensation. Each member of the commission shall receive the sum of seven (7) dollars and fifty (50) cents for each day actually and necessarily employed in the discharge of official duties, provided said compensation shall not exceed one thousand (1,000) dollars for each fiscal year.

"Sec. 7. Expenses generally. The members and employees of the commission, the conservation director and conservation officers shall be reimbursed for all actual and necessary expenses incurred by them in the discharge of their official duties when absent from their usual place

of abode, unless said appointees or employees are serving under a contract which requires them to defray their own expenses.

"Sec. 8. Bonds—surety. The commission may require bonds of appointees and employees other than those herein specifically named. All bonds insuring the fidelity of the commissioners, and of the appointees and employees of the commission shall be signed by a surety authorized by law to execute such bonds.

"Sec. 9. Premium. The premium on all the aforesaid fidelity bonds shall be paid from the administration fund of the commission.

"Sec. 10. Offices. The commission shall keep its office at the seat of government. The executive council shall supply and properly furnish said rooms.

"Sec. 11. Organization and meetings. Said commission shall organize annually by the election of a chairman. The commission shall meet annually at the seat of government on the first Tuesday of January, April, July, and October and at such other times and places as it may deem necessary. Meetings may be called by the chairman, and shall be called by the chairman on the request of two (2) members of the commission.

"Sec. 12. The commission first appointed shall organize immediately upon the appointment and qualifying of its members.

"Sec. 13. Conservation director. The commission shall employ an administrative head who shall be known as state conservation director and be responsible to the commission for the execution of its policies. He shall be a person of executive ability and possess special knowledge relative to the duties herein imposed on the commission.

"Sec. 14. Term and salary. Said director shall serve during the pleasure of the commission and shall receive an annual salary to be fixed by the commission.

"Sec. 15. Officers and employees. Said director shall, with the consent of the commission and at such salary as the commission shall fix, employ such assistants, including a professionally trained state forester of recognized standing, as may be necessary to carry out the duties imposed by this chapter on the commission; also and under the same conditions, said director shall appoint such officers as may be necessary to enforce the laws, rules, and regulations, the enforcement of which are herein imposed on said commission. Said officers shall be known as state conservation officers.

"Sec. 16. Conservation officers. No person shall be appointed as a conservation officer until he has satisfactorily passed a competitive examination, held under such rules as the commission may adopt, and other qualifications being equal, only those of highest rank in examination shall be appointed.

"Sec. 17. Peace officers. Conservation officers shall have the power of, and be deemed peace officers within the scope of the duties herein imposed on them.

"Sec. 18. Removal. The appointees and employees aforesaid may be removed by the said director at any time subject to the approval of the commission.

"Sec. 19. Funds. The financial resources of said commission shall consist of three funds:

1. A state fish and game protection fund,
2. A state conservation fund, and
3. An administration fund.

The state fish and game protection fund, except as otherwise provided, shall consist of all moneys accruing from license fees and all other sources of revenue arising under the division of fish and game.

The conservation fund, except as otherwise provided, shall consist of all other funds accruing to the conservation commission.

The administration fund shall consist of an equitable portion of the gross amount of the two (2) aforesaid funds, to be determined by the commission, sufficient to pay the expense of administration entailed by this chapter.

"Sec. 20. Report of funds. The conservation director shall, at least monthly, make return and pay to the treasurer of state all moneys then in his hands belonging to the aforesaid funds.

"Sec. 21. Section two hundred forty-six (246), Code, 1931, is amended by striking therefrom paragraph seventeen (17) and by inserting in lieu thereof the following:

'17. State conservation director.'

"Sec. 22. Expenditures. All funds accruing to the fish and game protection fund, except the said equitable portion, shall be expended solely in carrying on the activities embraced in the division of fish and game.

All administrative expense shall be paid from the administration fund.

All other expenditures shall be paid from the conservation fund.

All expenditures under this act shall be subject to approval by the state comptroller.

"Sec. 23. Divisions of department. The department of conservation, herein created, shall consist of the following divisions:

1. A division of fish and game which shall include matters relating to fish and fisheries, waterfowl, game, fur-bearing and other animals, birds, and other wild life resources.

2. A division of lands and waters which shall include matters relating to state waters, state parks, forests and forestry, and lakes and streams, including matters relating to scenic, scientific, historical, archeological and recreational matters.

3. A division of administration which shall include matters relating to accounts, records, enforcement, technical service, and public relations.

"Sec. 24. Rules and regulations. The existing rules, orders, and regulations of the state board of conservation and of the fish and game commission shall continue to be the rules, orders and regulations of the conservation commission, created herein, until changed or modified by said latter commission.

"Sec. 25. No member, officer, or employee of the commission shall, directly or indirectly, exert his influence to induce any other officers or employees of the state to adopt his political views, or to favor any particular candidate for office, nor shall such member, officer or employee contribute in any manner, directly or indirectly, any money or other

things of value to any person, organization or committee for political campaign or election purposes. Any person violating this section shall be removed from his office or position.

"Sec. 26. Section ten hundred sixty-three (1063), Code, 1931, is amended by striking out paragraphs fifteen (15) and sixteen (16) and by inserting in lieu thereof the following:

'Members state conservation commission, five thousand (5,000) dollars.

'State conservation director, ten thousand (10,000) dollars.

'State conservation officers, one thousand (1,000) dollars.'

"Sec. 27. Section twenty-five hundred eighty-seven (2587), Code, 1931, is amended by striking out the word 'forestry' from line 4 of paragraph one (1).

"Sec. 28. Section twenty-six hundred seventeen (2617), Code, 1931, is amended by striking out the words 'department of agriculture' and by inserting in lieu thereof the words 'state conservation commission.'

"Sec. 29. Section three hundred two (302), Code, 1931, is amended by inserting therein the following:

'39. State conservation commission.'

"Sec. 30. All books, records, files and property belonging to the state fish and game commission, to the state board of conservation, and to the forestry commission are hereby transferred to the state conservation commission herein created.

"Sec. 31. All unexpended funds belonging to the fish and game protection fund, as it exists at the time this act takes effect, shall be credited to the fish and game protection fund herein created. All unexpended appropriations or funds now available to the state board of conservation, under either chapter one hundred eighty-eight (188), acts Forty-fifth General Assembly, or under chapter one hundred forty-five (145), acts Extra Session Forty-fifth General Assembly, or from other sources, shall be credited to the conservation fund herein created, and the state comptroller and treasurer of state shall make such transfers on the books of their offices.

"Sec. 32. All present employees of the state board of conservation and of the fish and game commission shall be deemed employees of the conservation commission, herein created, until said latter commission otherwise orders.

"Sec. 33. Any investigation or proceeding now pending which in any manner affects the state board of conservation or the fish and game commission shall be continued in behalf of or against the conservation commission herein created.

"Sec. 34. Coordination of statutes. Wherever in the statutes, other than this act, reference is made to the state game warden, it shall be deemed to mean 'state conservation director'; also, wherever in said statutes reference is made to assistant or deputy game wardens, or to park or lake custodians it shall be deemed to mean 'state conservation officers' and the Code editor is directed to make the proper changes.

Wherever in the statutes, other than this act, reference is made to the fish and game commission, the fish and game department, or the board of conservation, it shall be deemed to mean 'state conservation

commission'; also, wherever in said statutes reference is made to fish and game commission funds, it shall be deemed to mean 'fish and game protection fund,' and the Code editor is directed to make the proper changes.

"Sec. 35. Section two (2), chapter thirty (30), acts Forty-fifth General Assembly, is amended by inserting in line 9 immediately after the word 'promulgated' the following, to-wit:

'provided that the said publication of said rules and regulations shall not be required in case of an emergency, and in such emergency the commission shall give such advance notice as it may deem reasonable, and.'

"Sec. 36. The following sections of the Code, 1931, are hereby repealed: sections seventeen hundred three-d one (1703-d1) to seventeen hundred three-d ten (1703-d10), inclusive, seventeen hundred three-d thirteen (1703-d13), seventeen hundred three-d fourteen (1703-d14), seventeen hundred three-d sixteen (1703-d16) to seventeen hundred three-d thirty (1703-d30), inclusive, seventeen hundred twelve (1712), seventeen hundred seventeen (1717), seventeen hundred forty-three (1743), seventeen hundred ninety-five (1795), seventeen hundred ninety-six (1796), eighteen hundred twenty (1820), eighteen hundred twenty-one (1821), and twenty-six hundred four (2604).

"Sec. 37. Partial invalidity. The invalidity of any part of this chapter shall not affect any remaining part which can be given force and effect independent of such invalid part.

"Sec. 38. Publication. This act being deemed of immediate importance shall be in full force and effect after its passage and publication in the Sheldon Mail, a newspaper published at Sheldon, Iowa, and in the Globe Gazette, a newspaper published at Mason City, Iowa."

ROY E. STEVENS.

E. P. CORWIN.

A. CLAIRE DEWEY.

I. G. CHRYSTAL.

On the part of the Senate.

PAUL FREEBURN.

OTTO FUELLING.

R. G. MOORE.

DEWEY E. GOODE.

On the part of the House.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar: Senate File 51 and its companion bill, House File 85.

H. L. IRWIN, *Chairman.*

REPORTS OF COMMITTEES

Senator Stevens submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 374, a bill for an act to make an appropriation to H. L. Heller, M. V. Harmon, L. C. Syfert, W. M. Cutter, Carl Weeks, Walter Kiser, Joe Michels, E. E. Peterson, Ed Kennedy, Carl R. Ryder,

Elsie Maden, Mrs. J. H. Kelley, and H. M. Kelley, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 375, a bill for an act to make an appropriation to H. W. Hanson as guardian of Cleo D. Allen, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred House File 268, a bill for an act to make an appropriation to the Iowa State Dairy Association and to require said association to hold a state-wide 4-H Dairy Calf Club exposition, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred House File 455, a bill for an act to make an appropriation to R. E. Frisby and D. A. Luing, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred House File 473, a bill for an act to make an appropriation to Charles Flinchum, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred House File 474, a bill for an act to make an appropriation to Marion Stephens, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred House File 475, a bill for an act to make an appropriation to Guy

Boyles, begs leave to report it has had the same under consideration and recommends the same do pass. ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred House File 476, a bill for an act to make an appropriation to Clarence R. Killion, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred House File 477, a bill for an act to make an appropriation to Mamie V. Grimso, begs leave to report it has had the same under consideration and recommends the same do pass. ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred House File 478, a bill for an act to make an appropriation to Dolan Allen, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred House File 479, a bill for an act to make an appropriation to Carl Feucht and the National Refining Company, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred House File 480, a bill for an act to make an appropriation to Arthur H. Peterson, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred House File 481, a bill for an act to make an appropriation to Reed McMurray and Roy Marinelli, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred House File 482, a bill for an act to make an appropriation to George Kanak, begs leave to report it has had the same under consideration and recommends the same do pass. ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred House File 483, a bill for an act to make an appropriation to John Kanak, begs leave to report it has had the same under consideration and recommends the same do pass. ROY E. STEVENS, *Chairman*.

Ordered passed on file.

AMENDMENTS FILED

Amend House File 203, section four (4), as follows:

1. By striking from subsection five (5), page four (4), the remainder of said subsection following the word "by" in line 41; also by inserting in lieu thereof the following:

"A notice, served upon him in the county of his residence by anyone permitted by law to serve notices, which shall be duly signed by the public health commissioner or in his behalf by the attorney general of the state of Iowa, setting forth the facts constituting the alleged violation of any of the provisions of this title and/or commission of any of the acts of unprofessional conduct as defined in this title, which notice shall grant the applicant not less than twenty (20) days nor more than thirty (30) days from the date of service of said notice to appear before the public health commissioner at the district court of the county in which the applicant resides, at which time and place the commissioner shall show cause why said license should not be renewed. In such event the renewal of the license must be made on the 30th day of June as heretofore provided, regardless of the date fixed in said notice and the making of such showing by the public health commissioner. The notice shall be served by reading it to the applicant or offering to do so in case he neglects or refuses to hear it read, and in either case by delivering him personally a copy thereof, or, if he refuses to receive it, offering to do so. The return of service must state the time and place of making the service, and that a copy was delivered to the applicant, or offered to be delivered, and the party serving same must note thereon the date when received."

L. T. SHANGLE.

Amend House File 203, section four (4), as follows:

1. By striking therefrom subsection seventeen (17).

CHRIS REESE.

Amend Senate File 348 by adding at the end of section one (1) the following paragraph: "The time during which the issuance of tax deeds is prohibited by this act shall not be counted in computing the eight (8)

year period provided by section seventy-two hundred seventy-one (7271), Code, 1931, for the cancellation of tax sales." CLAUDE STANLEY.

Amend Senate File 135, section one (1), by inserting after the word "corporations" in line 6, the following: "which are supported, in part, by appropriations of public funds,". I. G. CHRYSTAL.

Amend Senate File 375 as follows:

1. Strike from line 3 of section one (1), the words "guardian for Cleo D. Allen, incompetent" and insert in lieu thereof the words "administrator of the estate of Cleo D. Allen, deceased."

2. Strike from line 2 of paragraph two (2) the following words: "guardian of Cleo D. Allen, incompetent" and insert in lieu thereof the words "administrator of the estate of Cleo D. Allen, deceased."

3. Strike from line 2 of section three (3) the word "guardian" and insert in lieu thereof the word "administrator" and strike from line 4 of said section three (3) the words "ward or his guardian" and insert in lieu thereof the words "Cleo D. Allen or his estate." MIKE G. FISCH.

Senator Baldwin moved that the Senate recess until 1:30 p. m.

Senator Husted moved to amend the pending motion to read "1:00 p. m." rather than "1:30 p. m."

As a substitute for all pending motions, Senator Stanley moved that the Senate adjourn until 10:00 a. m., Tuesday.

The motion to substitute prevailed and the substitution was made. The substitute motion prevailed and the Senate adjourned until 10:00 a. m., Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 16, 1935.

The Senate met in regular session, President pro tempore Harold L. Irwin presiding.

Prayer was offered by Rev. C. Max Buck, pastor of the Church of Christ at Waukee.

The Journal of April 15, 1935 was corrected and approved.

INTRODUCTION OF BILLS

Senate File 383, by committee on highways, a bill for an act to repeal section five thousand sixty-nine (5069) of the Code of Iowa, 1931, and to enact a substitute therefor relating to the operation of tractors or traction engines over bituminous road surfaces.

The bill was read first and second times and referred to the sifting committee.

Senate File 384, by committee on fish and game, a bill for an act to amend sections seventeen hundred four (1704), seventeen hundred eighty-nine (1789), and seventeen hundred ninety-four (1794), Code, 1931, and chapter thirty (30), acts Forty-fifth General Assembly, and to establish definitions of certain statutory terms, all relating to the protection of fish and game and subject matters allied therewith.

The bill was read first and second times and referred to the sifting committee.

CALL OF THE SENATE FILED

We, the undersigned, desire a call of the Senate for the consideration of Senate File 320.

H. C. BALDWIN.

J. E. DOZE.

CARL ASCHENRENNER.

L. T. SHANGLE.

H. J. GRUNEWALD.

VINCENT HARRINGTON.

WM. MCARTHUR.

FRANK M. STEVENS.

ANDREW BELL.

FRANK C. BYERS.

T. W. MULLANEY.

M. X. GESKE.

GEO. L. PARKER.

L. H. MEYER.

SAM D. GOETSCH.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 50, 80 and 117.

JOHN N. CALHOUN, *Chairman Senate Committee.*
DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 50, 80 and 117.

BILLS SENT TO THE GOVERNOR

Senator Calhoun, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully report they have on this 16th day of April, 1935, sent to the Governor for his approval Senate Files 50, 80 and 117.

JOHN N. CALHOUN, *Chairman.*

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had signed Senate Files 121, 126, and 199, on April 12, 1935.

HOUSE AMENDMENTS CONSIDERED

By unanimous consent, Senator Wilson called up for consideration Senate File 107, amended by the House, and moved that the Senate concur in the following amendment:

HOUSE AMENDMENT TO SENATE FILE 107

1. Section one (1), strike all of line 12; also strike from line 16 of said section the figures "788.81" and insert in lieu thereof "778.81."

The question was, Shall the Senate concur?

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

Ayes, 31:

Anderson	Dewey	Irwin	Parker
Baldwin	Driscoll	Knudson	Patterson
Bell of Crawford	Fisch	Malone	Pendray
Bell of Des Moines	Geske	McArthur	Reese
Berg	Goetsch	Meyer	Stanley
Byers	Grunewald	Miller	Stevens of Wapello
Calhoun	Harrington	Millhone	Wilson
Corwin	Husted	Mullaney	

Nays, 3:

Doze	Kimberly	Shangle
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Absent or not voting, 16:

Aschenbrenner	Elthon	Moore	Shaw
Beardsley	Hopkins	Nelson	Stevens of Decatur
Billingsley	Hush	Roelofs	Valentine
Chrystal	Mason	Schmidt	
Donohue			

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

Senator Wilson moved that the bill as amended be given its final reading and placed on its passage, which motion prevailed, and the bill as amended was read.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 39:

Anderson	Corwin	Irwin	Patterson
Aschenbrenner	Dewey	Knudson	Pendray
Baldwin	Donohue	Malone	Reese
Bell of Crawford	Driscoll	Mason	Shaw
Bell of Des Moines	Fisch	McArthur	Stanley
Berg	Geske	Meyer	Stevens of Decatur
Billingsley	Goetsch	Miller	Stevens of Wapello
Byers	Grunewald	Millhone	Wilson
Calhoun	Harrington	Moore	
Chrystal	Hush	Mullaney	
	Husted		

Nays, 1:

Shangle

Absent or not voting, 10:

Beardsley	Hopkins	Parker	Schmidt
Doze	Kimberly	Roelofs	Valentine
Elthon	Nelson		

The bill as amended having received a two-thirds majority was declared to have passed the Senate and the title was agreed to.

THIRD READING OF BILLS

The proper time having arrived, Senate File 320, a bill for an act to amend various sections of chapter twenty-five (25) of the acts of the extraordinary session of the Forty-fifth General Assembly, relating to the manufacture, sale and distribution of beer, to create a state permit board and to prescribe the powers and duties of said board, to prescribe the conditions under which permits to sell and distribute beer may be issued, held or revoked, to empower cities and towns to enact ordinances relative to the traffic in such liquors, to require surety bonds relative to such traffic and to declare the liability on such bonds, to fix the alcoholic contents of beer which may be legally sold or distributed, to define "misbranded" beer and to prohibit its importation and sale, to prohibit the addition by permit holders of alcohol to beer kept for sale, and to fix certain penalties for violations of the laws relative to the sale and distribution of beer, was taken up and considered.

The bill was read for information.

A call of the Senate having been filed, a roll call revealed all members of the Senate were present excepting Senators Chrystal and Roelofs.

On motion of Senator Baldwin, the Senate proceeded with the deliberation on Senate File 320 and Senators Roelofs and Chrystal were excused until such time as a roll call might be had.

Senator Baldwin was granted unanimous consent to substitute the following amendment for the Baldwin amendment previously filed to Senate File 320 and found on page 826 of the Senate Journal.

Amend Senate File 320 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, is amended by striking section thirty-four (34) of said chapter and inserting in lieu thereof the following:

'Sec. 34. It is expressly provided, any provision of this chapter to the contrary notwithstanding, that cities and towns, including cities under special charter, and boards of supervisors, shall have the power and authority to revoke any permit issued under their authority for a violation of any of the provisions of this act, or any ordinance adopted by a city or town under the provisions hereof, or for any cause which, in the judgment of the governing body, may be inimical to or prevent the carrying out of the intent and purposes of this act. Any permit revoked as in this act provided shall not be renewed or a new permit shall not be

granted to the same person for a period of one (1) year from the date of revocation; further, the governing body may refuse to issue a permit effective on the same premises to any other person for a period of one (1) year from the date of revocation. Cities and towns, including cities under special charter, are hereby empowered to adopt ordinances for the enforcement of chapter twenty-five (25) of the acts of the Forty-fifth General Assembly in Extraordinary Session, as amended by this act, and are further empowered to adopt ordinances providing for the limitation of class "B" permits but shall not limit the number of such permits in any town of one thousand (1,000) population or less to less than two (2), and in cities and towns of over one thousand (1,000) population to less than two (2) permits for the first one thousand (1,000) population and one (1) for each additional one thousand (1,000) population, or fraction thereof; and for the fixing of the closing hours of the places of business of class "B" permittees, except for hotels and clubs as contemplated in chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session; and for the location of premises of class "B" permittees; and are empowered to adopt ordinances governing any other activities or matters which may affect the sale and distribution of beer under class "B" permits and the welfare and morals of the community involved.'

"Sec. 2. Further amend said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, by inserting after the comma following the word 'bootlegging' in line 3 in section thirty-one (31) thereof the following: 'or who is guilty of the sale or dispensing of wines or spirits in violation of the law, or who shall allow the mixing or adding of alcohol to beer on the premises of the permittee, or who shall be guilty of the violation of this chapter as amended, or of any ordinances enacted by any city or town as provided for in this act.'

"Sec. 3. Further amend said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, by striking from section twenty-five (25) of said chapter all of line 7 after the period following the word 'dollars' in said line, and by striking all of line 8, and by striking all that part of line 9 to and including the period, and inserting in lieu thereof the following: 'The annual permit fee for a class "B" permit, except class "B" permits issued to hotels, clubs as contemplated in chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session and golf or country clubs, shall be fixed by the authorities empowered by this act to issue permits, but the amount of said permit fee shall not be less than one hundred (100) dollars, or more than three hundred (300) dollars.'

"Sec. 4. Further amend said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, as follows: 'All class "B" permits, except permits issued to golf or country clubs under the provisions of chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, shall terminate as of July 1, 1935. The authorities empowered by this act to issue permits shall refund the permit holder an amount proportionate

to the unexpired term of the permit. All class "B" permits, except class "B" permits issued to golf or country clubs, shall expire on July first after the date of issuance.'

"Sec. 5. This act being deemed of immediate importance shall be in full force and effect after its passage and publication in the Dyersville Commercial, a newspaper published at Dyersville, Iowa, and in the Daily Tribune, a newspaper published at Dubuque, Iowa."

Senator Reese offered the following amendment and moved its adoption :

Amend the pending Baldwin amendment to Senate File 320, by inserting after section four (4) the following sections:

"Sec. 5. There shall be levied and collected by the treasurer of the state of Iowa, on all beer sold within the state of Iowa, an inspection fee at the rate of one (1) cent per gallon for the purpose of enforcing the collection of taxes due the state of Iowa, under the provisions of section of this act, and for the further purpose of aiding the treasurer of the state of Iowa, in the inspection of beer sold in the state of Iowa, so as to determine that the same contains the required per cent of sixty-six and two-thirds (66%) of pure barley malt and does not exceed four (4) per cent of alcoholic contents by weight; provided, however, that any manufacturer of beer in this state who shall have during the current year paid for the manufacturer's permit issued under this act, shall be exempt from payment of such inspection fee.

"Sec. 6. The treasurer of the state of Iowa shall have printed such inspection labels as he deems suitable and necessary, and is hereby empowered to make such other rules and regulations as he deems advisable for enforcing the provisions of section twelve (12) of this act.

"Sec. 7. The treasurer of the state of Iowa shall furnish inspection labels without additional charge to all persons, firms, or corporations shipping beer into the state of Iowa, for sale or resale, who have paid the inspection fee as provided in this act, and such person, firm or corporation, shall cause said labels to be affixed to the various containers of beer, according to the prescribed inspection fee before said beer is shipped into the state of Iowa.

"Sec. 8. The treasurer of the state of Iowa shall furnish the inspection labels without charge therefor to any manufacturer of beer of the state of Iowa, who shall have during the current year paid for a manufacturer's permit issued under the provisions of this act.

"Sec. 9. No beer shall be offered for sale or be in the possession of any permittee in the state of Iowa, without inspection labels being affixed to the containers. Such inspection labels shall be affixed across the top and side of all cases of bottled beer so that when said case is opened the label will be broken. Said labels shall further be placed on all kegs containing beer sold within the state of Iowa, and shall be cancelled at the time of withdrawal of the beer from said container. No out-state manufacturer shall ship any beer into the state of Iowa in any container without first having destroyed or defaced any old Iowa inspection label previously affixed to said container and no Iowa manufacturer shall re-

ceive any container into his licensed premises upon which any old Iowa inspection label has been affixed without destroying or defacing said label.

"Sec. 10. All truck drivers transporting beer in the state of Iowa, that is consigned to permittees in the state of Iowa, shall carry duplicate copies of bills of lading and invoices to be presented upon demand of the treasurer of state or his authorized representative, or upon demand of any peace officer of the state of Iowa.

"Sec. 11. Every brewer or other person shipping beer from out of state into the state of Iowa for sale, and every Iowa brewer shall on or before the tenth (10) day of each calendar month make a report under oath to the treasurer of the state of Iowa, upon forms to be furnished by him, for such purpose, showing the exact number of barrels or fractional parts thereof, sold and delivered to class 'A' permittees during the preceding calendar month, and shall further show the ingredients of said beer and state that said beer contained the required per cent of sixty-six and two-thirds (66%) of pure barley malt, and did not contain more than four (4) per cent of alcohol by weight; and every Iowa brewer shall further show the number of barrels, or fractional parts thereof, sold within the state of Iowa, and shall also show the reading of the government meter for the period of time contained in the report.

"Sec. 12. The treasurer of state of the state of Iowa, or his authorized representative, shall at any time have access to the records of any permittee and of any manufacturer of beer sold or offered for sale within the state of Iowa, for the purpose of determining the ingredients of said beer and determining the amount of tax due and owing to the state of Iowa."

Senators Chrystal and Roelofs having appeared in the Senate Chamber, the call of the Senate was declared to be complete.

By unanimous consent granted Senator Reese, the Reese amendment was corrected in section six (6), line 4, by striking the word and figures "twelve (12)" and inserting in lieu thereof the word and figure "five (5)"; also correcting the amendment in section seven (7), line 6, by striking the words "shipped into" and inserting in lieu thereof the words "sold or offered for sale in".

The question was, Shall the amendment to the amendment, as corrected, be adopted?

On the question, Shall the amendment to the amendment, as corrected, be adopted? the vote was:

Ayes, 19:

Aschenbrenner	Dewey	Malone	Pendray
Berg	Driscoll	Mason	Reese
Calhoun	Elthon	Miller	Shangle
Chrystal	Harrington	Mullaney	Stevens of
Corwin	Hush	Parker	Decatur

Nays, 26:

Anderson	Doze	Kimberly	Nelson
Baldwin	Geske	Knudson	Patterson
Beardsley	Goetsch	McArthur	Roelofs
Bell of Crawford	Grunewald	Meyer	Shaw
Billingsley	Hopkins	Millhone	Stanley
Byers	Husted	Moore	Valentine
Donohue	Irwin		

Absent or not voting, 5:

Bell of	Fisch	Stevens of	Wilson
Des Moines	Schmidt	Wapello	

The motion to amend was lost.

Senator Hush offered the following amendment and moved its adoption:

Amend the pending amendment to Senate File 320 by inserting in line 31 of section one (1) immediately following the word "the" as it appears the second time in said line the following: "opening and."

The motion prevailed and the amendment was adopted.

Senator Shangle offered the following amendment and moved its adoption:

Amend the pending Baldwin amendment to Senate File 320 by striking the word "may" in line 17, section one (1), and inserting in lieu thereof the word "shall."

The motion to amend was lost.

Senator Shangle offered the following amendment and moved its adoption:

Further amend the pending Baldwin amendment to Senate File 320 by striking all the remaining part of section one (1) beginning with and including line 20.

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

Roll call was requested.

The question was, Shall the amendment to the amendment be adopted?

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

Ayes, 3:

Aschenbrenner	Doze	Shangle
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Nays, 43:

Anderson	Elthon	Knudson	Pendray
Baldwin	Fisch	Malone	Reese
Beardsley	Goeske	Mason	Roelofs
Bell of Crawford	Goetsch	McArthur	Shaw
Berg	Grunewald	Meyer	Stanley
Billingsley	Harrington	Miller	Stevens of
Byers	Hopkins	Millhone	Decatur
Calhoun	Hush	Moore	Steven of
Corwin	Husted	Mullaney	Wapello
Dewey	Irwin	Parker	Valentine
Donohue	Kimberly	Patterson	Wilson
Driscoll			

Absent or not voting, 4:

Bell of	Chrystal	Nelson	Schmidt
Des Moines			

The motion to amend was lost.

Senator Reese offered the following amendment and moved its adoption:

Further amend the amendment to Senate File 320 as follows:

Add the following section:

"Sec. . Amend section six (6) of chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, by adding to division 'b' thereof, the following:

'All beer sold in the state of Iowa must be in the "original brewery container", and no person, firm, or corporation shall bottle beer within the state of Iowa, except breweries holding a state permit in accordance with the provisions of this act.'

Further amend by renumbering the following sections.

Senator Reese was granted unanimous consent to withdraw his amendment to the Baldwin amendment.

On motion of Senator Stevens of Wapello, the Senate adjourned until 1:00 p. m.

AFTERNOON SESSION

Having recessed until 1:00 p. m. the Senate reconvened, President pro tempore Harold L. Irwin presiding.

Roll call revealed that all members of the Senate were not present, and the call of the Senate therefore was not complete.

Senator Stevens of Wapello was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 385, by committee on appropriations, a bill for an

act to make an appropriation to the treasurer of Polk county, Iowa, for paving assessment against the state of Iowa.

The bill was read first and second times and placed on the calendar.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

Senate File 378, a bill for an act providing that cities having a population between forty-two thousand (42,000) and forty-five thousand (45,000) may construct storm sewers.

VIRGIL LEKIN, *Chief Clerk.*

By unanimous consent granted Senator Fisch, the Senate proceeded to consider bills by the committee on claims until such time as the call of the Senate might be completed.

In accordance with this request the following bills were called up for consideration:

THIRD READING OF BILLS

Senate File 366, a bill for an act to make an appropriation to J. M. Vernon, Edd Scantlebury, and Miles Baier, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 42:

Aschenbrenner	Doze	Kimberly	Pendray
Baldwin	Driscoll	Knudson	Reese
Beardsley	Elthon	Malone	Roelofs
Bell of	Fisch	Mason	Shangle
Des Moines	Geske	McArthur	Shaw
Berg	Goetsch	Meyer	Stanley
Billingsley	Grunewald	Miller	Stevens of
Byers	Hopkins	Millhone	Decatur
Calhoun	Hush	Moore	Stevens of
Corwin	Husted	Mullaney	Wapello
Dewey	Irwin	Nelson	Wilson
Donohue			

Nays, none.

Absent or not voting, 8:

Anderson	Chrystal	Parker	Schmidt
Bell of Crawford	Harrington	Patterson	Valentine

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

Senate File 367, a bill for an act to make an appropriation to J. N. Cree, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 42:

Aschenbrenner	Dewey	Kimberly	Pendray
Baldwin	Doze	Knudson	Reese
Beardsley	Driscoll	Malone	Roelofs
Bell of Crawford	Elthon	Mason	Shangle
Bell of	Fisch	McArthur	Shaw
Des Moines	Geske	Meyer	Stanley
Berg	Goetsch	Miller	Stevens of
Billingsley	Hopkins	Millhone	Decatur
Byers	Hush	Moore	Stevens of
Calhoun	Husted	Mullaney	Wapello
Chrystal	Irwin	Nelson	Wilson
Corwin			

Nays, none.

Absent or not voting, 8:

Anderson	Grunewald	Parker	Schmidt
Donohue	Harrington	Patterson	Valentine

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

Senate File 374, a bill for an act to make an appropriation to N. L. Heller, M. V. Harmon, L. C. Syfert, W. M. Cutter, Carl Weeks, Walter Kiser, Joe Michels, E. E. Peterson, Ed Kennedy, Carl R. Ryder, Elsie Maden, Mrs. J. H. Kelley and H. M. Kelley, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 43:

Aschenbrenner	Dewey	Husted	Parker
Baldwin	Donohue	Irwin	Pendray
Beardsley	Doze	Kimberly	Reese
Bell of Crawford	Driscoll	Knudson	Roelofs
Bell of	Elthon	Malone	Shangle
Des Moines	Fisch	McArthur	Shaw
Berg	Geske	Meyer	Stanley
Billingsley	Goetsch	Miller	Stevens of
Byers	Grunewald	Millhone	Wapello
Calhoun	Harrington	Moore	Valentine
Chrystal	Hopkins	Mullaney	Wilson
Corwin			

Nays, none.

Absent or not voting, 7:

Anderson	Mason	Patterson	Stevens of
Hush	Nelson	Schmidt	Decatur

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

CONSIDERATION OF SENATE FILE 320 RESUMED

The call of the Senate was declared to be complete with the exception of Senators Anderson and Patterson.

On motion of Senator Beardsley, Senators Anderson and Patterson were excused until such time as a roll call might be taken.

Senator Stevens of Wapello moved the previous question on all pending amendments and the main bill, which motion prevailed.

Senators Valentine, Shaw, Harrington, Berg, Beardsley, Meyer, Donohue, Dewey, Mullaney, Parker, Bell of Des Moines, Corwin, Goetsch and Roelofs offered the following amendment and moved its adoption:

Amend the pending Baldwin amendment to Senate File 320 as follows:
Add the following as section five (5):

"Sec. 5. Further amend said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, by striking lines 4 to 11, inclusive of section thirty-three (33) thereof, being subdivision a., and substituting therefor the following:

'a. All permit fees collected under the provisions of this act by any municipality shall be retained by such municipality and allocated to its general fund.'

Further amend by renumbering the section five (5) as section six (6).

The motion prevailed and the amendment was adopted.

Senators Hopkins and Husted offered the following amendment and moved its adoption:

Amend the pending Baldwin amendment to Senate File 320 by inserting as a separate section the following:

"It shall be unlawful for any person holding a class 'B' permit to allow dancing or music of any kind in his place of business or in any adjoining room or building owned, operated or controlled by said permittee, except in hotels having not less than thirty (30) rooms used for sleeping purposes."

Senators Anderson and Patterson having appeared in the chamber, the call of the Senate was declared to be complete.

Roll call was requested.

The question was, Shall the amendment to the amendment be adopted?

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

Ayes, 19:

Aschenbrenner	Hopkins	Millhone	Shangle
Beardsley	Hush	Nelson	Shaw
Dewey	Husted	Patterson	Stanley
Doze	Knudson	Pendray	Stevens of
Elthon	McArthur	Roelofs	Decatur

Nays, 29:

Baldwin	Corwin	Irwin	Parker
Bell of Crawford	Donohue	Kimberly	Reese
Bell of	Driscoll	Malone	Schmidt
Des Moines	Fisch	Mason	Stevens of
Berg	Geske	Meyer	Wapello
Byers	Goetsch	Miller	Valentine
Calhoun	Grunewald	Moore	Wilson
Chrystal	Harrington	Mullaney	

Absent or not voting, 2:

Anderson	Billingsley
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The motion to amend was lost.

Senators Nelson and McArthur offered the following amendment and moved its adoption:

Amend the pending Baldwin amendment to Senate File 320 as follows:

"Insert following the word 'Ordinances' in line 36 of section one (1)

the following: 'not in conflict with the provisions of chapter twenty-five (25) acts of Forty-fifth Extraordinary Session as amended by this act,'".

Senator Nelson was granted unanimous consent to correct the pending amendment to the amendment in line 4 by inserting after the word "Forty-fifth" the words: "General Assembly in."

The motion prevailed and the amendment to the amendment as corrected was adopted.

Senator Aschenbrenner offered the following amendment and moved its adoption:

Amend the Baldwin amendment to Senate File 320, section four (4) by adding thereto the following: "In no case shall the beverage known as near beer which contains less than one-half ($\frac{1}{2}$) of one (1) per cent alcohol come within the meaning of this act. Be it further amended by adding, 'Where beer is sold as defined in this act, near beer shall be on sale.'"

Senator Baldwin raised the point of order that the Aschenbrenner amendment related to the original bill rather than the pending Baldwin amendment. The chair ruled the amendment was in order at this time.

Roll call was requested.

The question was, Shall the amendment to the amendment be adopted?

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

Ayes, 17:

Aschenbrenner	Hush	Patterson	Stanley
Dewey	Husted	Pendray	Stevens of
Doze	McArthur	Shangle	Wapello
Elthon	Millhone	Shaw	Valentine
Harrington	Nelson		

Nays, 33:

Anderson	Calhoun	Hopkins	Mullaney
Baldwin	Chrystal	Irwin	Parker
Beardsley	Corwin	Kimberly	Reese
Bell of Crawford	Donohue	Knudson	Roelofs
Bell of	Driscoll	Malone	Schmidt
Des Moines	Fisch	Mason	Stevens of
Berg	Geske	Meyer	Decatur
Billingsley	Goetsch	Miller	Wilson
Byers	Grunewald	Moore	

Absent or not voting, none.

Rule 8 was invoked.

The motion to amend was lost.

Senator Husted offered the following amendment and moved its adoption:

Amend the Baldwin amendment by striking section four (4) thereof and inserting in lieu thereof the following:

"Sec. 4. All permits issued under chapter twenty-five (25) of the acts of the Forty-fifth General Assembly in Extraordinary Session shall terminate as of July 1, 1935. The authorities empowered by this act to issue permits shall refund to the permit holder an amount proportionate to the unexpired term of the permit. After July 1, 1935, no permit for the sale of beer in any city or town shall be issued until the qualified electors of said city or town shall by a majority vote at an election called for said purpose have consented to such sale. Said election shall be initiated by a petition requesting the calling of such election, which petition shall be signed by not less than twenty-five (25) per cent of the qualified electors of said city or town as shown by the last preceding poll books and which petition shall be filed by the city clerk. Upon the filing of said petition the city or town council shall proceed to canvass the same and if it finds that it complies with the foregoing requirements the council shall call said election at a time not less than thirty (30) days thereafter. Said election shall be held and the vote canvassed as now provided by the general statutes governing the holding of elections."

Roll call was requested.

The question was, Shall the amendment to the amendment be adopted?

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

Ayes, 20:

Aschenbrenner	Doze	Knudson	Patterson
Beardsley	Elthon	McArthur	Pendray
Billingsley	Hopkins	Millhone	Shaw
Calhoun	Hush	Nelson	Stanley
Dewey	Husted	Parker	Wilson

Nays, 30:

Anderson	Donohue	Kimberly	Roelofs
Baldwin	Driscoll	Malone	Schmidt
Bell of Crawford	Fisch	Mason	Shangle
Bell of	Geske	Meyer	Stevens of
Des Moines	Goetsch	Miller	Decatur
Berg	Grunewald	Moore	Stevens of
Byers	Harrington	Mullaney	Wapello
Chrystal	Irwin	Reese	Valentine
Corwin			

Absent or not voting, none.

Rule 8 was invoked.

The motion to amend was lost.

Senator Baldwin was granted unanimous consent to correct the pending Baldwin amendment in section four (4), line 3, by inserting after the comma following the word "amended" the following words: "by adding a new section."

By unanimous consent granted Senator Baldwin, it was ordered that the sections of the pending amendment be renumbered to correspond with the amendments adopted thereto; and also to correct the title to read as follows:

"An act to amend chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, relating to the sale and distribution of beer by certain class 'B' permittees, providing for the issuance of such permits, fixing the fee for such permits, placing limitation on the number thereof, and providing for the revocation of such permits, granting unto cities and towns the right to enact ordinances relative to the regulation of the sale and distribution of beer by certain class 'B' permittees, and providing for the distribution of the licensee fees derived under chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, and as amended by this act."

The pending motion by Senator Baldwin prevailed, the amendment, as amended, was adopted and substituted for the original bill known as Senate File 320.

Senators Byers and Bell of Crawford offered the following amendment and moved its adoption:

Amend Senate File 320 by adding another section as follows:

"Sec. — Amend section thirty-six (36) of chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, by striking the period after the word 'weight' in line 4 and adding thereto the following: 'nor less than 2.75 per centum of alcohol by weight.'

"Further amend said section thirty-six (36) by adding after the period following the word 'therein' in line 8 the following: 'Any beer that contains less than 2.75 per centum of alcohol by weight or more than four (4) per centum of alcohol by weight shall be deemed misbranded, and any person who shall knowingly introduce into this state, solicit orders for, deliver, transport, or have in his possession with intent to sell any such misbranded beer shall, in addition to the other penalties as now provided, be punished by a fine of not less than ten (10) dollars nor more than one hundred (100) dollars, or by imprisonment in the county jail not to exceed thirty (30) days, and any such violation shall be a ground for cancellation of permit.'"

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 16:

Anderson	Byers	Kimberly	Reese
Baldwin	Dewey	Mason	Shangle
Bell of Crawford	Driscoll	Meyer	Stevens of
Bell of	Geske	Mullaney	Decatur
Des Moines	Harrington		

Nays, 32:

Aschenbrenner	Elthon	Knudson	Pendray
Beardsley	Fisch	Malone	Roelofs
Berg	Goetsch	McArthur	Shaw
Billingsley	Grunewald	Millhone	Stanley
Calhoun	Hopkins	Moore	Stevens of
Chrystal	Hush	Nelson	Wapello
Corwin	Husted	Parker	Valentine
Donohue	Irwin	Patterson	Wilson
Doze			

Absent or not voting, 2:

Miller	Schmidt
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The motion to amend was lost.

Senator Baldwin moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 47:

Anderson	Dewey	Knudson	Pendray
Aschenbrenner	Donohue	Malone	Reese
Baldwin	Driscoll	Mason	Roelofs
Beardsley	Elthon	McArthur	Schmidt
Bell of Crawford	Fisch	Meyer	Shaw
Bell of	Geske	Miller	Stanley
Des Moines	Goetsch	Millhone	Stevens of
Berg	Grunewald	Moore	Decatur
Billingsley	Harrington	Mullaney	Stevens of
Byers	Hush	Nelson	Wapello
Calhoun	Husted	Parker	Valentine
Chrystal	Irwin	Patterson	Wilson
Corwin	Kimberly		

Nays, 3:

Doze	Hopkins	Shangle
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Absent or not voting, none.

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

Senator Husted was granted unanimous consent to explain his vote in the Journal.

Senator Baldwin moved that the vote by which Senate File 320 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Baldwin was granted unanimous consent to have Senate File 320, as amended, reprinted, and messaged to the House immediately.

EXPLANATION OF VOTE

In casting an "aye" vote, I do not cast it in support of a liquor law, but with the thought this bill has much better enforcement features than the old law and in the hope this law will improve present deplorable conditions. I so vote, yet feeling it is just another New Deal Experiment.

ORA E. HUSTED.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

H. F. 364	H. F. 105
H. F. 59	H. F. 67
S. F. 325	S. F. 324
S. F. 357	H. F. 173
H. F. 116	S. F. 158
H. F. 119	H. F. 65
H. F. 136	S. F. 222
S. F. 254	S. F. 186

H. L. IRWIN, *Chairman.*

REPORT ON SECOND ANNUAL INTERSTATE ASSEMBLY

The Second Interstate Assembly, called by the Council of State Governments and the American Legislators Association, to which the undersigned were delegated to represent the state of Iowa, was held in Washington, D. C., on February 28th, and March 1st and 2d.

One hundred fifty-three (153) delegates from forty-one (41) states were in attendance.

A number of addresses were delivered on a wide variety of subjects by men of recognized authority. Your delegates were especially pleased by the fact that these speakers, with few exceptions, recognized the necessity of interstate agreement and harmonious action and that all of them deplored the tendency toward federal encroachment upon the states' authority. No one present questioned the absolute necessity of greater harmony and uniformity in state legislation in various fields, such as: Taxation, transportation, law enforcement, old age insurance, unemployment insurance, welfare and relief. Some time was devoted

to a discussion of delimiting the fields of action as between the states and the federal government on various subjects.

The report of the interstate committee on conflicting taxation, to which we especially direct your attention, and which can be had by addressing the American Legislators Association, Chicago, Illinois, became the subject of greatest interest, so far as your delegates were concerned.

While the decisions of the Interstate Assembly are not binding and cannot have the effect of laws, your delegates do believe that the discussion of common problems at such conferences will ultimately result in better, more agreeable and practical relations between the states themselves and between the states and the federal government. We, therefore, especially direct your attention to the desirability of establishing an Iowa commission on interstate cooperation, whose function it shall be to perfect the participation of this state in the Council of State Governments, for the purpose of establishing and maintaining governmental machinery to facilitate communication, negotiation, understanding, and cooperation between the state of Iowa and the other states of the Union, both regionally and nationally.

The following are the resolutions adopted at the Second Interstate Assembly:

1. GASOLINE TAXES

Resolved, That it is the sense of the Second Interstate Assembly that the federal government retire not later than June 30, 1935, from the field of motor fuel taxation and leave that field to the states and their political subdivisions.

2. BEER TAXES

Resolved, That it is the sense of the Second Interstate Assembly that the states and local governments refrain from imposing heavy taxes on beer unless they impose such taxes for regulatory purposes.

3. TOBACCO TAXES

Resolved, That it is the sense of the Second Interstate Assembly that no additional tobacco taxes be adopted by the states for revenue purposes.

4. ELECTRIC ENERGY TAXES

Resolved, That it is the sense of the Second Interstate Assembly that electric energy taxes, which have long been sources of state revenues, should be reserved for the exclusive use of the states.

5. FEDERAL HIGHWAY ACT

The Second Interstate Assembly calls to the attention of Congress and the state legislatures the principle incorporated in section twelve (12) of the federal highway act of 1934. The assembly seriously questions the desirability of this form of federal control of state financial and administrative machinery.

In this section Congress undertook to outline certain provisions for the expenditure of state revenues upon observance of which the receipt of federal highway aid is dependent. Further diversion of motor vehicle tax or gas tax funds by state governments is in effect prohibited. This provision constitutes an unprecedented federal interference with state

fiscal policy—an interference to which the attention of the appropriate officials may well be directed. A copy of this section is appended hereto:

"Sec. 12. Since it is unfair and unjust to tax motor vehicle transportation unless the proceeds of such taxation are applied to the construction, improvement, or maintenance of highways, after June 30, 1935, federal aid for highway construction shall be extended only to those states that use at least the amounts now provided by law for such purposes in each state from state motor vehicle registration fees, licenses, gasoline taxes, and other special taxes on motor vehicle owners and operators of all kinds for the construction, improvement, and maintenance of highways and administrative expenses in connection therewith, including the retirement of bonds for the payment of which such revenues have been pledged, and for no other purposes, under such regulations as the Secretary of Agriculture shall promulgate from time to time: *Provided*, That in no case shall the provisions of this section operate to deprive any state of more than one-third of the amount to which that state would be entitled under any apportionment hereafter made, for the fiscal year for which the apportionment is made."

6. MEMORIAL TO CONGRESS FOR REPRINTING DOUBLE TAXATION REPORT

Resolved, That this assembly memorialize the Congress of the United States requesting (1) that a second edition of the report on double taxation of the ways and means subcommittee on double taxation be published speedily and (2) that copies of that report and other reports of the subcommittee be made available for use of the members of this Interstate Assembly and of the respective state governments and legislatures.

The two resolutions which follow came up for consideration during the closing minutes of the session. The first resolution was adopted by the assembly, 38-35. The second resolution, regarding personal income taxes, was passed by a vote of 39 to 30. These two issues disclosed such an evenly divided sentiment as to render it apparent that the subjects will receive further consideration by the next assembly.

7. FEDERALLY-ADMINISTERED, STATE-SHARED SALES TAX

Whereas, Some twenty-six (26) states have been forced through emergency conditions to resort to sales taxes, and the administration of such tax measures has been complicated because of state lines and interstate commerce limitations;

Resolved, That it is the sense of this Second Interstate Assembly that the federal government should impose a general emergency sales tax upon a national basis and should allocate to the several states a substantial portion of the revenue therefrom upon an equitable basis.

8. PERSONAL INCOME TAXES

Resolved: 1. That the Second Interstate Assembly recommends federal enactment of legislation allowing a credit against the federal individual income tax for state individual income taxes and other state and local taxes of a personal nature paid or accrued;

2. That a graduated plan be used to allow a substantial credit for lower incomes and a smaller credit for larger incomes, for example, about

seventy-five (75) per cent of the aggregate of the credits for taxes on incomes below ten thousand (10,000) dollars and twenty-five (25) per cent on incomes above ten thousand (10,000) dollars. The percentages selected should provide a total credit of approximately one hundred fifty million (150,000,000) dollars.

3. That the additional federal revenue to replace the federal credit allowed to taxpayers for state taxes be secured by some one or more of the following means :

a. Inclusion of dividend income in the federal tax base as completely as other income;

b. Amendment of federal and state constitutions to permit the taxation of income from tax-exempt securities and of salaries of officials and employees of the federal, state, and local governments;

c. Reduction of personal exemptions, including elimination of the earned income credit;

d. Allowance of personal exemptions and credits for dependents in terms of tax.

9. TAX EXEMPTION OF PUBLIC SECURITIES

Whereas, There is an alarming growth in the volume of tax exempt governmental securities; and

Whereas, Any plan for the alleviation of federal-state conflicts is seriously handicapped by the necessity of higher rates on a narrowed tax base; therefore be it

Resolved, That the Second Interstate Assembly deplors the growth in volume of tax exemptions which has resulted from the increased output of such governmental securities and from the increased number of governmental employees. And this assembly recommends that these tax exemptions should be removed—in order to broaden the tax base, to secure a more equitable distribution of the tax load, and to promote the use of money in industry by eliminating this refuge for moneyed capital.

10. TAXATION OF PRIVATE PROPERTY IN GOVERNMENTAL RESERVATIONS

Resolved, That it is the sense of the Interstate Assembly that the federal government, through Congress, should grant to the several states the authority to tax (1) privately owned physical property located in government reservations situated within the boundaries of such states, and (2) the incomes or intangible personal property of individuals residing on such reservations unless it is shown that they are taxed elsewhere.

11. INTERSTATE TAX COMPACTS

Resolved, That it is the sense of the Second Interstate Assembly that the Congress of the United States should pass a general enabling and consenting act respecting compacts negotiated between two or more states affecting interstate tax conflicts and not affecting the fiscal interest of the federal government.

12. STATE AND LOCAL TAX DATA

Resolved, That it is the sense of the Second Interstate Assembly that each state should provide for the tabulation and publication of complete statistics of state and local taxation, expenditures, and debt; and be it further

Resolved, That it is the sense of this body that each state should cooperate as fully as possible with the United States bureau of the census in perfecting the reporting on a comparative basis of the statistics of state and local governments; and be it further

Resolved, That it is the sense of the Second Interstate Assembly that each state should from time to time make a thorough-going investigation of its own state and local tax system. In order to facilitate this investigation, as well as to render possible intelligent appraisal of the financial activities of government, and effective state and local administration, each state should provide for the continual analysis of such fiscal affairs; and be it further

Resolved, That it is the sense of the Second Interstate Assembly that responsible state officials should consider the initiation and advancement by means of work relief projects of reports on financial statistics designed to bring together a comprehensive picture of state and local revenues. To insure comparable results from such studies, the assembly requests that the staff of the interstate commission on conflicting taxation outline a general plan for use in each state.

13. TAX REVISION COUNCIL

Resolved, That the Second Interstate Assembly request that the interstate commission on conflicting taxation organize a tax revision council to study:

1. The problem of multiple taxation by competing units of government.
2. The closely related problem of determining the functions that can best be performed by the federal government and those that more properly fall to the states and their subdivisions.

The Assembly requests that the council, with the assistance of such advisory committees and technical staff as it may deem appropriate, conduct a joint investigation and report its recommendations. The Assembly suggests that it would be highly appropriate for the said council to be composed of:

(a) *Seven officials representative of the federal government*, namely:

The general counsel, the assistant general counsel in charge of tax legislation, and the director of research and statistics of the treasury department; the chairman of the subcommittee on double taxation of the House committee on ways and means and one other congressman designated by the chairman of the committee on ways and means; and the chairman of the subcommittee on double taxation of the Senate finance committee and one other Senator designated by the chairman of the Senate finance committee;

(b) *Seven officials representative of state governments*, namely:

Legislators and administrative officers of states, designated by the interstate commission on conflicting taxation;

(c) *Seven officials representative of local units of government*, namely:

Four (4) legislative and executive officials of municipalities appointed as follows: one (1) by the United States Conference of Mayors, one (1) by the American Municipal Association, one (1) by the International City Managers' Association, and one (1) by the Municipal Finance Officers' Association; and three (3) officials of counties and of units of rural

government other than counties, designated by the Speaker of the Interstate Assembly.

The term for which each appointive member of the council is designated shall extend to January 1st of the next odd-numbered year and thereafter until his successor is appointed.

The secretary of the interstate commission on conflicting taxation, shall be, ex-officio, the executive secretary of the tax revision council, and shall make arrangements for its organization meetings.

To the end that the organization of this council may be consummated at the earliest possible time, the chairman and the secretary of the interstate commission on conflicting taxation are hereby directed to confer with Congressional officials, with the Secretary of the Treasury, and, if opportunity offers, with the President of the United States; and they are authorized to make such changes in this plan as they may deem proper in the light of such conferences.

14. SIMPLICITY AND UNIFORMITY IN REVENUE LEGISLATION AND ADMINISTRATION

Whereas, Taxpayers are compelled to spend large sums in complying with widely different requirements of different taxing jurisdictions and,

Whereas, The honest taxpayer suffers because his less scrupulous competitor takes advantage of the lack of uniformity in the interpretation of substantially similar statutes, for example, rulings as to what are and what are not essential governmental activities; therefore be it

Resolved, That pending the development of a more comprehensive program to harmonize conflicting tax laws and to avoid duplicate taxation, it is the sense of the Second Interstate Assembly that legislative bodies in enacting revenue legislation, and administrative officials in interpreting such statutes and in developing administrative procedure and forms of reports, strive for simplicity and uniformity.

15. STUDY OF THE DISTRIBUTION OF TAX BURDEN

Whereas, The problem of securing a fair contribution to the cost of state and local government by owners of intangible property has not received recent comprehensive study; and

Whereas, The distribution of the tax load has been materially altered by the developments of the past few years; and

Whereas, The problem is one directly involving interstate competition and conflict of tax jurisdiction; and

Whereas, The present system of taxation has been found to be obsolete, therefore be it

Resolved, That the interstate commission on conflicting taxation either directly or by reference is hereby requested:

1. To investigate carefully the entire problem of the distribution of the tax load between owners of intangible property and other persons—with a view to formulating a new tax system, under which taxes will be assessed according to the theory of ability to pay;

2. In particular, to investigate the feasibility of securing the joint action of two (2) or more states, in order that states imposing taxes on intangible personal property or the income therefrom may be protected from the competition of other states;

3. To canvass the possibility of relieving the taxation of real estate, by the taxation of intangibles and the income from them.

16. FILLING OF VACANCIES ON INTERSTATE COMMISSION ON CONFLICTING TAXATION

Resolved, That all vacancies in the membership of the interstate commission on conflicting taxation created either by retirement of its members from public office or otherwise shall be filled by the Speaker of the Interstate Assembly.

COMMITTEE ON RESOLUTIONS AND PROCEDURE

Hon. Mark Graves, New York, chairman.

Sen. Henry Parkman, Jr., Massachusetts, vice chairman.

Hon. J. Sinclair Brown, Virginia.

Sen. William M. Cole, New Hampshire.

Hon. John A. Chambliss, Tennessee.

Sen. Harold M. Groves, Wisconsin.

Sen. Edward T. Lazear, Wyoming.

Hon. Edward L. Leahy, Rhode Island.

Sen. Seabury C. Mastick, New York.

Sen. Byron G. Randolph, West Virginia.

Sen. A. Crozer Reeves, New Jersey.

Sen. Garritt E. Roelofs, Iowa.

Hon. George A. Schroeder, Michigan.

Sen. Ray H. Talbot, Colorado.

17. COMMITTEE ON AGENCIES FOR INTERSTATE COOPERATION

Your committee on agencies for interstate cooperation considers the question of cooperative agencies as one of extreme importance and has drawn up the following resolution which it now presents to the Second Interstate Assembly:

RESOLUTION

Whereas, Confusion, competition and conflicts constantly exist between the states of the union in their laws and in their administrative practices, concerning many subjects of government with which the states are vitally concerned; and

Whereas, It is desirable for the people of all the states that such disharmony and chaos shall not continue, but that the governments shall strive together in accordance with enlightened standards and mutually accepted policies; and

Whereas, The necessity for official cooperation between the state governments is recognized by the compact provision in section 10 of article 1 of the Constitution of the United States; and

Whereas, There have now been established agencies which provide such machinery of cooperation, namely, the American Legislators' Association, which has been officially sanctioned and endorsed by one or both branches of forty-six (46) legislatures, and the Council of State Governments, which has been organized by said association; and

Whereas, It is to the interest of the people of each of the states that their government officially participate with the governments of the other states in the formulation of their cooperative policies, and in their other deliberations, in order that the interests of such states may not be disregarded; therefore be it

Resolved, That this Second Interstate Assembly recommends that ap-

propriate agencies on interstate cooperation be formed in each state; and be it further

Resolved, That the executive director of the American Legislators' Association and the Council of State Governments communicate this recommendation to the Governor and Legislature of each of the several states.

REPORT

To provide these agencies on interstate cooperation with an effective directing and coordinating agent, your committee strongly recommends the establishment of regional secretariats in the manner which the American Legislators' Association and the Council of State Governments have set forth.

The committee reports that such a regional secretariat would promote cooperation between neighboring states with regard to policies and activities relating to such public problems as may arise from time to time and which require uniform or reciprocal action on the part of other states included in the region. It would devolve upon the regional secretary to make a constant study of the possibilities of regional and nationwide cooperation between the state governments. Your committee feels that the establishment of such regional secretariats is vital to the development of harmonious state relationships and that such secretariats would prove to be effective agencies for improving interstate cooperation.

Your committee recommends that this meeting of the Second Interstate Assembly formally commend the American Legislators' Association and the Council of State Governments on their recent publication, *The Book of the States*. The periodical editions of this book will represent the only compilation in the country of current facts and features pertaining exclusively to state government. Obviously, this publication will facilitate cooperation among the states.

Finally, your committee recommends that, if and when the American Legislators' Association and the Council of State Governments are requested to render any type of service for such national associations of state administrative officials as the National Association of Secretaries of State and the National Association of Attorneys General, such requests should be granted in so far as the present staff and facilities permit.

The foregoing Report and Resolution were adopted by the Assembly upon the recommendation of the committee on agencies for interstate cooperation:

Hon. Ralph Gilbert, Kentucky, chairman.

Hon. H. H. Hotchkiss, Arizona, vice chairman.

Hon. Vernon J. Brown, Michigan.

Hon. Herman Crystal, New Jersey.

Sen. Louis E. Elkins, Tennessee.

Hon. Frank H. Holley, Maine.

Hon. William A. Leonard, Georgia.

Hon. Charles C. Marbury, Maryland.

Hon. Ray Murphy, Iowa.

Hon. W. E. Rogers, Kentucky.

Hon. Oiver E. J. Schick, Missouri.
Hon. Walter Dent Smith, Delaware.
Hon. Henry G. Vaughan, Maine.
Sen. George W. Woodward, Pennsylvania.
Hon. Philip Zoercher, Indiana.

18. REPORT OF COMMITTEE ON FINANCE

Your committee realizes and begs leave to call the attention of all legislators and state administrative officials to the fact that in order to develop and perfect organizations of the scope and significance represented by the Council of State Governments and the American Legislators' Association, adequate finances must be provided.

We believe that the assembly delegates are acquainted with the fact that the financing of the assembly and of the services extended to the states by the American Legislators' Association and the Council of State Governments has largely been through grants of the Spelman fund. We must, however, recognize that the Spelman grants are made for limited periods of time on the distinct understanding that they are for demonstration purposes. Certainly the assembly, the association, and the council have amply demonstrated their value, and the time for greater legislative support of its work has arrived. This fact has, in the past two years, been recognized by six (6) states, which are at the present time attempting to do their share in the support of these organizations, their appropriations varying from five hundred (500) dollars to five thousand (5,000) dollars per annum. This year seven (7) additional states have similarly demonstrated their belief in the value of these services by considering appropriation bills in their legislatures. Therefore your committee recommends that the assembly delegates do all in their power to secure both federal and state appropriations for the support of this work.

To this end, your committee recommends that Congress be urged to pass the resolution which provides for an annual appropriation of forty thousand (40,000) dollars to the Interstate Reference Bureau, which bill has been favorably recommended by the committee on the library of the National House of Representatives.

Your committee further recommends that each state do its share or more than its share in the active financial support of the American Legislators' Association, the Council of State Governments, and/or the Interstate Reference Bureau. It is recommended specifically that each state appropriate for this work an amount in accordance with a classification which has been worked out for each state by the American Legislators' Association and which calls for an average expenditure by each state of two thousand (2,000) dollars, approximately the amount required to secure the services of two clerks. Your committee believes that the value of the work done by these organizations is far in excess of any such amount.

Your committee recommends that each House of each legislature should appropriate funds during the current sessions to provide traveling expenses for their delegates to the next meeting of the Interstate Assembly and that the funds appropriated by the legislatures of the states

whose members are serving upon such standing committees of this assembly as will hold interim meetings should be sufficient to defray the traveling expenses of such members to such interim meetings.

The foregoing report and resolution were adopted by the assembly upon the recommendation of the committee on finance, whose members were:

Senator Andrew J. Graves, Tennessee, chairman.

Hon. Arthur I. Burgess, Massachusetts, vice chairman.

Senator Edgar A. Brown, South Carolina.

Hon. Larry Dobell, Montana.

Senator Charles D. Green, Nebraska.

Senator Frank Lebus, Kentucky.

Senator McMillan Lewis, Missouri.

Senator John G. Lowery, Ohio.

Hon. John H. Mitchell, Iowa.

Hon. Herbert J. Pascoe, New Jersey.

Hon. R. L. Ramsey, Georgia.

Hon. Frank W. Ruth, Pennsylvania.

19. COMPACTS FOR COUNCIL OF STATE GOVERNMENTS

Resolved, That in order to facilitate negotiation, understanding, and harmony of state governments with one another and with the federal government, it is the sense of the Second Interstate Assembly that the Congress of the United States should consent to a compact or agreement among any two or more states for the establishment of a council of state governments.

20. APPROPRIATION TO INTERSTATE REFERENCE BUREAU

Resolved, That the members of the Second Interstate Assembly do hereby urge their respective state delegates in Congress to support the proposed appropriation of forty thousand (40,000) dollars to the Interstate Reference Bureau for the current year; and be it further

Resolved, That a copy of this resolution be sent to each member of Congress.

Respectfully submitted,

SENATOR GARRITT E. ROELOFS, *Senate Delegate*.

SPEAKER JOHN H. MITCHELL, *House Delegate*.

AMENDMENTS FILED

Amend House File 32 as follows:

1. (Secretary of state) By striking out the word "fifty" in line 4 of section one (1) and substituting therefor the word "seventy-five."

2. (Auditor of state) Further amend by striking out the word "fifty" in line 4 of section two (2) and substituting therefor the word "seventy-five."

3. (Treasurer of state) Further amend by striking out the word "fifty" in line 4 of section three (3) and substituting therefor the word "seventy-five."

4. (Attorney general) Further amend by adding after the word "thousand" in line 4 of section four (4) the words "two hundred fifty."

5. (Deputy fish and game wardens) Further amend by striking out the word "fifteen" in line 4 of section five (5) and substituting therefor the word "nineteen."

6. (Secretary of agriculture) Further amend by striking out the word "fifty" in line 4 of section six (6) and substituting therefor the word "seventy-five."

7. (Secretary of fair board) Further amend by striking out the words "three thousand two hundred fifty" in line 4 of section seven (7) and substituting therefor the words "four thousand three hundred seventy-five."

8. (Employees of executive committee) Further amend by striking out the word "nineteen" in line 4 of section eight (8) and substituting therefor the word "twenty-seven."

9. (Employees of executive committee) Further amend by striking out the word "nineteen" in line 4 of section nine (9) and substituting therefor the word "twenty-seven."

10. (Salary of members of board of control) Further amend by striking out the word "six" and the figure "6" in line 5 of section ten (10) and substituting in lieu thereof the word "five" and the figure "5."

11. (Superintendent of soldiers' home) Further amend by striking out the words "two hundred fifty" in line 4, section eleven (11), and substituting therefor the words "five hundred ninety."

12. (Superintendent of sanitarium at Oakdale) Further amend by striking out the words "four hundred" in line 4, section twelve (12), and substituting therefor the words "three hundred twelve."

13. (Superintendent of Glenwood school for feeble minded) Further amend by striking out the word "six" in line 4 of section thirteen (13) and substituting therefor the word "seven."

14. (Superintendent of school for epileptics) Further amend by striking out the word "six" in line 4 of section fourteen (14) and substituting therefor the word "seven."

15. (Superintendent of hospital for insane) No amendment.

16. (Probation officers) Further amend by striking out the words "thirteen hundred fifty" in line 4 of section sixteen (16) and substituting therefor the words "fourteen hundred twenty-five."

a. Further amend by striking out the words "seventeen hundred fifty" from line 8, section sixteen (16), and substituting therefor the words "nineteen hundred"; and from line 9 of section sixteen (16) the words "thirteen hundred fifty" and substituting therefor the words "fourteen hundred twenty-five."

b. Further amend by striking out the word "four" in line 12, section sixteen (16), and substituting therefor the word "seven."

c. Further amend by striking out the words "eighteen hundred fifty" in line 14, section sixteen (16), and substituting therefor the words "two thousand ninety"; by striking out the words "sixteen hundred" in line 15, section sixteen (16), and substituting therefor the words "seventeen hundred ten."

17. (Child welfare supervisor) Further amend by striking from

line 4, section seventeen (17), the words "two hundred fifty" and substituting therefor the words "seven hundred."

18. (Superintendent of boys' training school) Further amend by striking out the words "two hundred fifty" in line 4 of section eighteen (18) and substituting therefor the words "three hundred twelve."

a. Further amend by striking out the word "eighteen" in line 7, section eighteen (18), and substituting therefor the word "nineteen."

19. (Superintendent of school at Davenport) Further amend by adding at the end of line 4 in section nineteen (19) the words "two hundred eighty."

20. (Superintendent of women's reformatory) Further amend by striking out the word "eighteen" in line 4, section twenty (20), and substituting therefor the word "nineteen."

21. (Maximum salaries at penitentiary and reformatories) Further amend by adding after the word "hundred" in line 4, section twenty-one (21), the words "twenty-five."

a. Further amend by striking out the words "one hundred twenty" in line 8, section twenty-one (21), and substituting therefor the words "one hundred forty-two dollars and fifty cents."

b. Further amend by striking from lines 11 and 12, section twenty-one (21), the words "twelve dollars and fifty cents" and substituting therefor the words "eighteen dollars and seventy-five cents."

c. By striking out the word "twenty" in line 15, section twenty-one (21), and substituting therefor the words "forty-two dollars and fifty cents."

d. By striking out the words "twelve dollars and fifty cents" in lines 18 and 19, section twenty-one (21), and substituting therefor the words "eighteen dollars and seventy-five cents."

e. Further amend by striking out the words "twelve dollars and fifty cents" in lines 22 and 23, section twenty-one (21), and substituting therefor the words "eighteen dollars and seventy-five cents."

f. Further amend by striking out the words "twelve dollars and fifty cents" in lines 26 and 27, section twenty-one (21), and substituting therefor the words "eighteen dollars and seventy-five cents."

g. Further amend by striking out lines 28, 29 and 30, section twenty-one (21).

22. (Salaries of guards at penitentiary and reformatories) Further amend by striking out section twenty-two (22).

23. (Salary of highway commission) Further amend by adding at the end of line 4, section twenty-three (23), the words "five hundred" after the word "thousand."

24. (Counsel for highway commission) Further amend by striking out the words "thirty-three hundred" in line 4, section twenty-four (24), and substituting therefor the words "thirty-nine hundred thirty-seven."

25. (Salary of members of board of assessment and review) Further amend by striking out the words "thirty-six hundred" in line 5, section twenty-five (25), and substituting therefor the words "thirty-nine hundred thirty-seven."

26. (Deputy superintendent of banking) Further amend by striking

out the words "thirty-five hundred" in line 4, section twenty-six (26), and substituting therefor the words "thirty-three hundred twenty-five."

a. Further amend by striking out the words "thirty-seven hundred fifty" in line 7, section twenty-six (26), and substituting therefor the words "forty-two hundred."

27. (Members of General Assembly) No amendment.

28. Further amend by striking out sections twenty-eight (28), twenty-nine (29) and thirty (30) and renumbering the sections.

29. Out.

30. Out.

31. No amendment.

32. (Supervisors.) Further amend by striking out lines 1, 2, 3, 4 and 5 of section thirty-two (32).

a. Further amend said section thirty-two (32) by striking from line 10 the word "four" and the figure "4" and substituting therefor the word "five" and the figure "5."

33. (County auditor) Further amend by striking out the words "five hundred" in line 4 of section thirty-three (33) and substituting therefor the words "six hundred fifteen."

a. Further amend by striking out the words "six hundred" in line 7, section thirty-three (33), and substituting therefor the words "seven hundred ten."

b. Further amend by striking out the words "seven hundred" in line 10 section thirty-three (33) and substituting therefor the words "eight hundred five."

c. Further amend by striking out the words "seventeen hundred fifty" in line 13, section thirty-three (33), and substituting therefor the words "nineteen hundred."

d. Further amend by striking out the words "eight hundred" in line 16, section thirty-three (33), and substituting therefor the words "nine hundred ninety-five."

e. Further amend by striking out the words "one thousand eight hundred fifty" in line 19, section thirty-three (33), and substituting therefor the words "two thousand ninety."

f. Further amend by striking out the words "one hundred" in line 22, section thirty-three (33), and substituting therefor the words "two hundred eighty."

g. Further amend by striking out the words "three hundred fifty" in line 25, section thirty-three (33), and substituting therefor the words "five hundred ninety."

h. Further amend by striking out the words "five hundred" in line 28, section thirty-three (33), and substituting therefor the words "seven hundred forty-five."

i. Further amend by striking out the words "six hundred fifty" in line 31, section thirty-three (33), and substituting therefor the words "nine hundred seventy."

j. Further amend by striking out the words "twenty-seven hundred fifty" from line 34, section thirty-three (33), and substituting therefor the words "thirty hundred sixty."

34. (County treasurer.) Further amend by striking out the words

"fifteen hundred" in line 4, section thirty-four (34), and substituting therefor the words "sixteen hundred fifteen."

a. Further amend by striking out the words "sixteen hundred" in line 7, section thirty-four (34), and substituting therefor the words "seventeen hundred ten."

b. Further amend by striking out the words "seventeen hundred" in line 10, section thirty-four (34), and substituting therefor the words "eighteen hundred five."

c. Further amend by striking out the words "seventeen hundred fifty" in line 13, section thirty-four (34), and substituting therefor the words "nineteen hundred."

d. Further amend by striking out the words "eighteen hundred" in line 16, section thirty-four (34), and substituting therefor the words "nineteen hundred ninety-five."

e. Further amend by striking out the words "eighteen hundred fifty" from line 19, section thirty-four (34), and substituting therefor the words "twenty hundred ninety."

f. Further amend by striking out the words "twenty-one hundred" in line 22, section thirty-four (34), and substituting therefor the words "twenty-two hundred eighty."

g. Further amend by striking the words "twenty-three hundred fifty" from line 25, section thirty-four (34), and substituting therefor the words "twenty-five hundred ninety."

h. Further amend by striking from line 28, section thirty-four (34), the words "twenty-five hundred dollars" and substituting therefor the words "twenty-seven hundred forty-five dollars."

i. Further amend by striking from line 31, section thirty-four (34), the words "twenty-six hundred fifty" and substituting therefor the words "twenty-nine hundred seventy."

j. Further amend by striking from line 34, section thirty-four (34), the words "twenty-seven hundred fifty" and substituting therefor the words "thirty hundred sixty."

k. No change in lines 35 and 36 in section thirty-four (34).

35. (County recorder.) Further amend by striking out the words "fourteen hundred" in line 4, section thirty-five (35), and substituting therefor the words "fifteen hundred twenty."

a. Further amend by striking out the words "fifteen hundred" in line 7, section thirty-five (35), and substituting therefor the words "sixteen hundred fifteen."

b. Further amend by striking out the words "sixteen hundred" from line 10, section thirty-five (35), and substituting therefor the words "seventeen hundred ten."

c. Further amend by striking out the words "sixteen hundred fifty" in line 13, section thirty-five (35), and substituting therefor the words "eighteen hundred five."

d. Further amend by striking out the words "seventeen hundred fifty" in line 16, section thirty-five (35), and substituting therefor the words "nineteen hundred."

e. Further amend by striking out the words "eighteen hundred" in

line 19, section thirty-five (35), and substituting therefor the words "nineteen hundred ninety-five."

f. Further amend by striking out the words "eighteen hundred fifty" in line 22, section thirty-five (35), and substituting therefor the words "twenty hundred ninety."

g. Further amend by striking out the words "nineteen hundred fifty" in line 25, section thirty-five (35), and substituting therefor the words "twenty-one hundred eighty-five."

h. Further amend by striking out the words "twenty-one hundred" from line 28, section thirty-five (35), and substituting therefor the words "twenty-two hundred eighty."

i. Further amend by striking out the words "twenty-three hundred fifty" in line 31, section thirty-five (35), and substituting therefor the words "twenty-five hundred ninety."

j. Further amend section thirty-five (35), by adding thereto:

Further amend said section fifty-two hundred twenty-four (5224), Code, 1931, by striking from paragraph eleven (11), the words "thirty-one hundred" and substituting therefor the words "twenty-seven hundred ninety."

36. (County attorney) a. Further amend by adding to line 4 section thirty-six (36), the word "sixty."

b. Further amend by adding to line 6, section thirty-six (36), the word "seventy-five."

c. Further amend by adding after the words "seventeen hundred" in line 8, section thirty-six (36), the word "eighty-five."

d. Further amend by striking out the words "two thousand" in line 10, section thirty-six (36), and substituting therefor the words "twenty-one hundred."

e. Further amend by striking out the words "twenty-five hundred" in line 12, section thirty-six (36), and substituting therefor the words "twenty-six hundred twenty-five."

f. Further amend by striking out the words "twenty-six hundred fifty" in lines 14 and 15, section thirty-six (36), and substitute therefor the words "twenty-seven hundred thirty."

g. Further amend by striking from line 17, section thirty-six (36), the words "three thousand" and substituting therefor the words "thirty-one hundred fifty."

h. Further amend by striking from lines 19 and 20, section thirty-six (36), the words "thirty-three hundred" and substituting therefor the words "thirty-four hundred sixty-five."

i. No change in salary fixed in the bill in counties of eighty thousand (80,000) to one hundred thousand (100,000) population.

j. No change in salaries fixed in the bill in counties of one hundred thousand (100,000) population, or over.

k. All fees accruing to the county attorney, as such, under any action, either criminal or civil, shall hereafter, notwithstanding any statute to the contrary, be paid by him into the treasury of the county for the benefit of the county general fund.

37. (Clerk of the court.) Further amend by striking out the words

"fifteen hundred" in line 4, section thirty-seven (37), and substituting therefor the words "sixteen hundred fifteen."

a. Further amend by striking out the words "one thousand six hundred" from line 7, section thirty-seven (37), and substituting therefor the words "seventeen hundred ten."

b. Further amend by striking out the words "one thousand seven hundred" from line 10, section thirty-seven (37), and substituting therefor the words "eighteen hundred five."

c. Further amend by striking out the words "seventeen hundred fifty" in line 13, section thirty-seven (37), and substituting therefor the words "nineteen hundred."

d. Further amend by striking out the words "one thousand eight hundred" from line 16, section thirty-seven (37), and substituting therefor the words "nineteen hundred ninety-five."

e. Further amend by striking the words "one thousand eight hundred fifty" from line 19 section thirty-seven (37) and substituting therefor the words "two thousand ninety."

f. Further amend by striking the words "twenty-one hundred" from line 22 section thirty-seven (37) and substituting therefor the words "twenty-two hundred eighty."

g. Further amend by striking the words "twenty-three hundred fifty" from line 25 section thirty-seven (37) and substituting therefor the words "twenty-five hundred ninety."

h. Further amend by striking the words "two thousand five hundred dollars" from line 28 section thirty-seven (37) and substituting therefor the words "twenty-seven hundred forty-five dollars."

i. Further amend by striking out the words "twenty-six hundred fifty" from line 31 section thirty-seven (37) and substituting therefor the words "twenty-nine hundred seventy."

j. Further amend by striking out the words "twenty-seven hundred fifty" in line 34 section thirty-seven (37) and substituting therefor the words "three thousand sixty."

38. (County superintendent) Further amend by striking from line 4 section thirty-eight (38) the words "six hundred" and substituting therefor the words "seven hundred ten."

a. Further amend by adding to section thirty-eight (38) the following: Further amend said section fifty-two hundred thirty-two (5232), Code, 1931, by striking out the words "three thousand" from line 7 and substituting therefor the words "twenty-seven hundred."

39. (Compensation of township trustees) No change.

40. (Compensation of township clerks) No change.

41. (Compensation of assessors) Further amend by striking out section forty-one (41).

42. (Compensation of assessors and deputies) Further amend by striking the words "six hundred" from line 4 section forty-two (42) and substituting therefor the words "seven hundred ten."

a. Further amend by striking the words "six hundred" from line 7 section forty-two (42) and substituting therefor the words "seven hundred ten."

b. No change line 8 section forty-two (42).

c. No change line 11 section forty-two (42).

d. Further amend by adding after the word "thousand" in line 15 section forty-two (42) the words "three hundred twelve."

e. Further amend by striking the words "fifteen hundred" from line 18 section forty-two (42) and substituting therefor the words "seventeen hundred ten."

43. (Salaries of mayor and councilmen) Further amend by striking out lines 1 to 7 inclusive section forty-three (43).

a. Further amend by striking from line 10 section forty-three (43) the words "one hundred twenty-five" and substituting therefor the words "three hundred twelve."

b. Further amend by striking the words "seventeen hundred fifty" from line 13 section forty-three (43) and substituting therefor the words "nineteen hundred."

c. Further amend by striking the words "two thousand one hundred twenty-five" from lines 16 and 17, section forty-three (43), and substituting therefor the words "two thousand three hundred twelve."

d. Further amend by striking from line 20 section forty-three (43) the words "six hundred" and substituting therefor the words "seven hundred ten."

e. No change in line 23, section forty-three (43).

f. Further amend by striking out the words "two hundred fifty" in line 26, section forty-three (43), and substituting therefor the words "three hundred twelve."

g. Further amend by striking the words "thirty-one hundred fifty" from line 29, section forty-three (43), and substituting therefor the words "three thousand sixty-two."

h. No change in line 32, section forty-three (43).

44. (Compensation of trustees of city owned public utilities) Further amend by striking out section forty-four (44).

45. Further amend by adding after the words "two hundred" in line 4, section forty-five (45), the word "eighty-one."

46. (Salary of supreme court judge) Further amend by adding after the words "sixty-seven hundred" in line 4, section forty-six (46), the words "sixty-five hundred sixty-two."

47. (Salary of district court judge) Further amend by striking out the word "fifty" in line 4, section forty-seven (47), and substituting therefor the word "seventy-five."

48. No change.

49. No change.

50. No change.

51. Further amend section fifty-one (51) by striking from line 1 the words and figures "sections forty-four (44) and forty-five (45)" and substituting therefor the words and figures "sections forty-six (46) and forty-seven (47)."

52. Further amend by adding the word "commission" after the word "person" in line 3, section fifty-two (52).

a. Further amend by striking lines 7 to 23, both inclusive, of section fifty-two (52) and substituting therefor the following: "On any salary

less than fifteen hundred (1500) dollars per annum no reduction; on any salary of fifteen hundred (1500) dollars per annum to twenty-four hundred ninety-nine (2499) dollars per annum a reduction of five (5) per cent; on any salary of twenty-five hundred (2500) dollars to twenty-nine hundred ninety-nine (2999) dollars per annum a reduction of seven and one-half (7½) per cent; on any salary of three thousand (3,000) dollars per annum to thirty-four hundred ninety-nine (3499) dollars per annum a reduction of ten (10) per cent; on any salary of thirty-five hundred (3500) dollars per annum or over a reduction of twelve and one-half (12½) per cent."

b. Further amend by striking out the word "for" in line 34, section fifty-two (52), and substituting therefor the word "on."

c. Further amend by striking out the word "considered" in line 36, section fifty-two (52), and substituting therefor the word "deemed"; and by changing the period after the word "misdemeanor" to a comma and adding thereto "and be punishable according to law."

d. Further amend by striking the word "suspended" in line 38, section fifty-two (52), and substituting therefor the word "repealed."

53. Further amend by striking out line 1 and that part of line 2 to and including the word "hereof" and substituting therefor the words "This act, except as it applies to judges of the district and supreme courts,".

Further amend by striking from the title the words "and to repeal section fifteen (15), Code, 1931;" in the third line from the bottom of the title and adding thereto the following: "and salaries of all employees of the state not otherwise herein specifically designated."

The following is the yard stick or percentage basis upon which all reductions in the foregoing amendment were figured:

Less than fifteen hundred (1500) dollars, no cut.

Fifteen hundred (1500) dollars to twenty-four hundred ninety-nine (2499) dollars, five (5) per cent.

Twenty-five hundred (2500) dollars to twenty-nine hundred ninety-nine (2999) dollars, seven and one-half (7½) per cent.

Thirty hundred (3000) dollars to thirty-four hundred ninety-nine (3499) dollars, ten (10) per cent.

Over thirty-five hundred (3500) dollars, twelve and one-half (12½) per cent.

The amendments to section thirty-six (36) of the bill, relating to county attorneys, grants a raise of five (5) per cent above the salaries fixed in chapter eighty-nine (89) of the Forty-fifth General Assembly, except no change is made in that part of chapter eighty-nine (89) as it applies to county attorneys' salaries in counties with a population of eighty thousand (80,000) to one hundred thousand (100,000) and those of a population of one hundred thousand (100,000) or over, as the salaries in these counties was not in proportion to the salaries of county attorneys in the lower population counties.

ROY E. STEVENS.

Amend House File 67, line 10, section ten (10), by striking the words and figures "one hundred twenty-five (125)" and insert in lieu thereof: "one hundred fifty (150)."

Also amend House File 67, line 6, section ten (10), by striking the figures "100.00" and insert in lieu thereof "125.00." E. I. MASON.

On motion of Senator Stanley, the Senate adjourned until 10:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 17, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. John Cunningham, pastor of the M. E. church of Cumberland.

The Journal of March 16, 1935 was approved.

President pro tempore Harold L. Irwin took the chair at 10:10 a. m.

INTRODUCTION OF BILLS

Senate File 386, by committee on appropriations, a bill for an act to make an appropriation to T. E. Diamond, Henry C. Schull, James F. Toy, Leone Webster, and Frank C. Walrath.

The bill was read first and second times and placed on the calendar.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had signed Senate Files 80 and 117 on April 16, 1935.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 311, a bill for an act imposing an occupation tax on conducting a business by a system of chain stores.

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

Senate File 207, a bill for an act relating to the power of any city or town to levy annual taxes for particular purposes.

VIRGIL LEKIN, *Chief Clerk.*

CALL OF THE SENATE FILED

We hereby request a call of the Senate on Senate File 133.

H. D. MILLER.

J. E. DOZE.

JOHN N. CALHOUN.

H. J. GRUNEWALD.

T. W. MULLANEY.

GEO. M. HOPKINS.

SAM. D. GOETSCH.

A. J. SHAW.

L. H. MEYER.

G. W. PATTERSON.

M. X. GESKE.

I. H. KNUDSON.

CARL ASCHENBRENNER.

CONSIDERATION OF CONFERENCE COMMITTEE
REPORT ON SENATE FILE 115

By unanimous consent Senator Stevens of Wapello called up for consideration the conference committee report on Senate File 115, as found on page 975 of the Senate Journal.

The conference committee report was read for information.

Senator Stevens of Wapello was granted unanimous consent that the rules be suspended and the conference committee report striking all after the enacting clause of Senate File 115 be considered.

Senator Stevens of Wapello moved that the Senate adopt the report of the conference committee and that the amendments proposed therein be concurred in.

The question was, Shall the Senate adopt the report of the conference committee and concur in the amendments proposed therein?

On the question, Shall the Senate adopt the report of the conference committee and concur in the amendments proposed therein? the vote was:

Ayes, 35:

Aschenbrenner	Donohue	Malone	Patterson
Baldwin	Doze	McArthur	Reese
Beardsley	Elthon	Meyer	Shangle
Bell of	Geske	Miller	Shaw
Des Moines	Goetsch	Millhone	Stevens of
Billingsley	Grunewald	Moore	Decatur
Calhoun	Hopkins	Mullaney	Stevens of
Chrystal	Hush	Nelson	Wapello
Corwin	Irwin	Parker	Valentine
Dewey	Kimberly		

Nays, 3:

Knudson	Stanley	Wilson
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Absent or not voting, 12:

Anderson	Byers	Harrington	Pendray
Bell of Crawford	Driscoll	Husted	Roelofs
Berg	Fisch	Mason	Schmidt

Rule 8 was invoked.

The motion prevailed, the report of the conference committee was adopted and the amendments proposed therein were concurred in by the Senate.

The bill, as amended by the conference committee report, was read first and second times.

Unanimous consent was granted Senator Stevens of Wapello that the rules be suspended and the bill, as amended by the conference committee report, be given its third reading on the same day it was read first and second times.

Senator Stevens of Wapello moved that the bill, as amended by the conference committee report, be now given its third reading and placed on its passage, which motion prevailed, and the bill was read a third time.

The question was, Shall the bill, as amended by the conference committee report, pass?

On the question, Shall the bill, as amended by the conference committee report, pass? the vote was:

Ayes, 34:

Anderson	Doze	Irwin	Nelson
Aschenbrenner	Elthon	Kimberly	Reese
Bell of Des Moines	Fisch	Malone	Shangle
Billingsley	Geske	McArthur	Shaw
Calhoun	Goetsch	Meyer	Stevens of Decatur
Chrystal	Grunewald	Miller	Stevens of Wapello
Corwin	Hopkins	Millhone	Valentine
Dewey	Hush	Moore	
Donohue	Husted	Mullaney	

Nays, 2:

Knudson	Wilson
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Absent or not voting, 14:

Baldwin	Byers	Parker	Roelofs
Beardsley	Driscoll	Patterson	Schmidt
Bell of Crawford	Harrington	Pendray	Stanley
Berg	Mason		

The bill, as amended by the conference committee report, hav-

ing received a constitutional majority was declared to have passed the Senate and the title as amended by the conference committee report was agreed to.

MOTION TO RECONSIDER TAKEN UP

Senator Valentine called up for consideration the motion by Senator Doze to reconsider the vote by which the Mullaney amendment to Senate File 133 was adopted, as found on page 825 of the Journal.

A call of the Senate having been filed, roll call revealed all members of the Senate were not present.

Senator Valentine asked unanimous consent that action on Senate File 133 be deferred and the bill retain its place on the calendar. Objections were raised, and the request denied.

Senator Valentine moved that action on the motion to reconsider the vote by which the Mullaney amendment to Senate File 133 was adopted, be deferred and the bill ordered to retain its place on the calendar as unfinished business, which motion prevailed.

CONSIDERATION OF SENATE FILE 135 RESUMED

Senate File 135, a bill for an act to amend section four thousand seven hundred fifty-five-b four (4755-b4), chapter two hundred forty-one-B one (241-B1), Code, 1931, relating to disbursement of primary road fund, was again taken up and considered.

The bill was read for information.

Senator Chrystal offered the following amendment and moved its adoption:

Amend Senate File 135, section one (1), by inserting after the word "corporations" in line 6, the following: "which are supported, in part, by appropriations of public funds,".

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 30:

Anderson	Donohue	Kimberly	Mullaney
Bell of Crawford	Driscoll	Knudson	Nelson
Bell of Des Moines	Elthon	Malone	Patterson
Berg	Fisch	Mason	Pendray
Calhoun	Geske	McArthur	Reese
Corwin	Grunewald	Meyer	Roelofs
Dewey	Hush	Miller	Stevens of Decatur
	Irwin	Moore	

Nays, 9:

Aschenbrenner	Goetsch	Husted	Shaw
Billingsley	Hopkins	Shangle	Stanley
Doze			

Absent or not voting, 11:

Baldwin	Chrystal	Parker	Valentine
Beardsley	Harrington	Schmidt	Wilson
Byers	Millhone	Stevens of Wapello	

The motion prevailed and the amendment was adopted.

Senator Chrystal moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 28:

Anderson	Driscoll	Knudson	Nelson
Bell of Crawford	Elthon	Malone	Patterson
Berg	Geske	McArthur	Pendray
Chrystal	Grunewald	Meyer	Reese
Corwin	Hush	Miller	Roelofs
Dewey	Irwin	Moore	Stevens of Decatur
Donohue	Kimberly	Mullaney	
Doze			

Nays, 5:

Fisch	Husted	Shangle	Shaw
Hopkins			

Absent or not voting, 17:

Aschenbrenner	Billingsley	Mason	Stevens of Wapello
Baldwin	Byers	Millhone	Valentine
Beardsley	Calhoun	Parker	Wilson
Bell of Des Moines	Goetsch	Schmidt	
	Harrington	Stanley	

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

MOTION TO RECONSIDER CONSIDERED

By unanimous consent, Senator McArthur called up for con-

sideration his motion to reconsider the vote by which Senate File 223 failed to pass in the Senate, as found on page 955 of the Senate Journal.

Senator Baldwin moved the previous question, which motion prevailed.

The question was, Shall the motion to reconsider prevail?

On the question, Shall the motion to reconsider prevail? the vote was:

Ayes, 29:

Baldwin	Donohue	Malone	Pendray
Bell of Crawford	Doze	Mason	Reese
Bell of Des Moines	Driscoll	McArthur	Roelofs
Billingsley	Goetsch	Meyer	Shangle
Calhoun	Grunewald	Miller	Shaw
Chrystal	Hopkins	Mullaney	Valentine
Dewey	Hush	Nelson	Wilson
	Knudson		

Nays, 18:

Anderson	Elthon	Kimberly	Schmidt
Aschenbrenner	Fisch	Millhone	Stanley
Beardsley	Geske	Moore	Stevens of Decatur
Berg	Husted	Parker	
Corwin	Irwin	Patterson	

Absent or not voting, 3:

Byers	Harrington	Stevens of Wapello
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The motion to reconsider prevailed.

The question was, Shall the bill pass?

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

Ayes, 27:

Baldwin	Doze	Knudson	Nelson
Bell of Crawford	Driscoll	Malone	Pendray
Bell of Des Moines	Fisch	Mason	Reese
Billingsley	Goetsch	McArthur	Roelofs
Calhoun	Grunewald	Meyer	Shangle
Chrystal	Hopkins	Miller	Shaw
	Hush	Mullaney	Valentine

Nays, 18:

Anderson	Elthon	Millhone	Stanley
Aschenbrenner	Geske	Moore	Stevens of Decatur
Berg	Husted	Parker	Wilson
Corwin	Irwin	Patterson	
Dewey	Kimberly	Schmidt	

Absent or not voting, 5:

Beardsley	Byers	Donohue Harrington	Stevens of Wapello
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator McArthur moved that the vote by which Senate File 223 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Shangle, the Senate recessed until 1:15 p. m.

AFTERNOON SESSION

Having recessed until 1:15 p. m., the Senate reconvened, President N. G. Kraschel presiding.

ACTION ON SENATE FILE 229 DEFERRED

By unanimous consent granted Senator Hush, action on Senate File 229 was deferred and the bill was ordered to retain its place on the calendar as unfinished business.

CONSIDERATION OF SENATE FILE 348 RESUMED

Senate File 348, a bill for an emergency act to prohibit the issuance, prior to March 1, 1937, by county treasurers or by city treasurers of cities acting under special charters, of any deed consequent on the non-payment of taxes or of levies for special assessments on land, and to preserve the right of redemption during said period, was again taken up and considered.

The bill was read for information.

Senator Stanley offered the following amendment and moved its adoption:

Amend Senate File 348 by adding at the end of section one (1) the following paragraph: "The time during which the issuance of tax deeds is prohibited by this act shall not be counted in computing the eight (8) year period provided by section seventy-two hundred seventy-one (7271), Code, 1931, for the cancellation of tax sales."

The motion prevailed and the amendment was adopted.

Senator Malone moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 4:

Chrystal	Doze	Malone	Mason
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Nays, 35:

Anderson	Donohue	Husted	Patterson
Aschenbrenner	Driscoll	Irwin	Pendray
Baldwin	Elthon	Kimberly	Roelofs
Beardsley	Fisch	Knudson	Schmidt
Bell of	Geske	Meyer	Shangle
Des Moines	Goetsch	Millhone	Stevens of
Berg	Grunewald	Mullaney	Decatur
Calhoun	Hopkins	Nelson	Valentine
Corwin	Hush	Parker	Wilson
Dewey			

Absent or not voting, 11:

Bell of Crawford	Harrington	Moore	Stanley
Billingsley	McArthur	Reese	Stevens of
Byers	Miller	Shaw	Wapello

The bill not having received a constitutional majority was declared to have failed to pass the Senate.

Senator Husted moved that the vote by which Senate File 348 failed to pass the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

THIRD READING OF BILLS

House File 85, a bill for an act to repeal sections seventy-four hundred twenty-b three (7420-b3), and seventy-four hundred twenty-b six (7420-b6), Code, 1931, as amended by chapters one hundred thirty-eight (138) and one hundred thirty-nine (139), acts of the Forty-fifth General Assembly, and to enact a substitute therefor, relating to the issuance of anticipatory warrants in payment of claims filed against the state sinking fund for public deposits and providing for the issuance and sale of refunding warrants, and, providing for the notice of sale of such warrants, receiving sealed and open bids therefor, rejection of said bids and penalty for violation thereof; and to repeal all acts or parts of acts in conflict herewith, was taken up and considered.

The bill was read for information.

Senator Irwin was granted unanimous consent to correct the spelling of the word "said" in section three (3), line 6 thereof.

Senator Irwin moved that the reading just had be considered

the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 44:

Anderson	Doze	Malone	Reese
Aschenbrenner	Driscoll	Mason	Schmidt
Baldwin	Elthon	McArthur	Shangle
Beardsley	Geske	Meyer	Shaw
Bell of Crawford	Goetsch	Miller	Stanley
Bell of Des Moines	Grunewald	Millhone	Stevens of Decatur
Berg	Hopkins	Moore	Stevens of Wapello
Billingsley	Hush	Mullaney	Valentine
Calhoun	Husted	Nelson	Wilson
Dewey	Irwin	Parker	
Donohue	Kimberly	Patterson	
	Knudson	Pendray	

Nays, none.

Absent or not voting, 6:

Byers	Corwin	Harrington	Roelofs
Chrystal	Fisch		

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

SENATE FILE 51 WITHDRAWN

By unanimous consent granted Senator Irwin, it was ordered that Senate File 51 be withdrawn from further consideration by the Senate.

President pro tempore Harold L. Irwin took the chair at 2:05 p. m.

THIRD READING OF BILLS

House File 93, a bill for an act to make an appropriation for the expenses incurred in the election contest of Miller vs. Zeigler, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Shangle offered the following amendment and moved its adoption:

Amend House File 93, section one (1), line 6, by striking the word "contestee" and inserting in lieu thereof the word "incumbent."

By unanimous consent, Senator Shangle withdrew the amendment.

Senator Shangle moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 40:

Aschenbrenner	Doze	Kimberly	Pendray
Baldwin	Driscoll	Malone	Schmidt
Beardsley	Elthon	Mason	Shangle
Bell of Crawford	Fisch	McArthur	Shaw
Bell of	Geske	Meyer	Stanley
Des Moines	Goetsch	Millhone	Stevens of
Berg	Grunewald	Moore	Decatur
Billingsley	Hopkins	Mullaney	Stevens of
Corwin	Hush	Nelson	Wapello
Dewey	Husted	Parker	Wilson
Donohue	Irwin	Patterson	

Nays, none.

Absent or not voting, 10:

Anderson	Chrystal	Miller	Roelofs
Byers	Harrington	Reese	Valentine
Calhoun	Knudson		

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

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 118 and 136.

JOHN N. CALHOUN, *Chairman Senate Committee.*
DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 118 and 136.

BILLS SENT TO THE GOVERNOR

Senator Calhoun, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 17th day of April, 1935, sent to the Governor for his approval Senate Files 118 and 136. JOHN N. CALHOUN, *Chairman*.

Passed on file.

THIRD READING OF BILLS

House File 268, a bill for an act to make an appropriation to the Iowa State Dairy Association and to require said association to hold a state-wide 4-H dairy calf club exposition, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Donohue moved the previous question, which motion prevailed.

Senator Grunewald moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 37:

Aschenbrenner	Corwin	Irwin	Pendray
Baldwin	Donohue	Kimberly	Reese
Beardsley	Elthon	Knudson	Schmidt
Bell of Crawford	Fisch	McArthur	Shaw
Bell of	Geske	Miller	Stevens of
Des Moines	Grunewald	Millhone	Decatur
Berg	Harrington	Moore	Stevens of
Billingsley	Hopkins	Nelson	Wapello
Calhoun	Hush	Parker	Valentine
Chrystal	Husted	Patterson	Wilson

Nays, 11:

Anderson	Driscoll	Mason	Shangle
Dewey	Goetsch	Meyer	Stanley
Doze	Malone	Mullaney	

Absent or not voting, 2:

Byers	Roelofs
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Rule 8 was invoked.

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

Senator Wilson moved that the vote by which House File 268 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE 368 REREFERRED

By unanimous consent granted Senator Berg, it was ordered that Senate File 368 be rereferred to the committee on appropriations.

HOUSE FILE 364 REREFERRED

In accordance with Rule 24, House File 364 was rereferred to the committee on appropriations.

REPORT OF COMMITTEE

MR. PRESIDENT: Your committee appointed under Senate Concurrent Resolution 9 begs leave to report that it has made a thorough examination of the two (2) elevators now in operation in the capitol building and wishes to submit the following report:

We find that, after a conference with the custodian of the buildings and J. D. Seaman, deputy labor commissioner, and also Carl Stach, electrician, the elevators in use in the state house are not in very good condition.

These elevators were installed about thirty years ago. In 1924, after considerable expense, the present set-up was installed. This was not a complete new installation but a makeshift one of some of the old parts. We feel that the best solution for the safety of the public would be a complete new installation of elevators and salvaging of whatever could be had of the old parts.

One other recommendation would be that the custodian of the building at all times should be in complete charge of the elevators and also of the attendants that are assigned to run them during the sessions of the legislature.

For further information we are enclosing the letter from Mr. Seaman.
PAUL SCHMIDT, *From the Senate.*
J. E. DOZE, *From the Senate.*

STATE OF IOWA
BUREAU OF LABOR
Des Moines, Iowa

April 4, 1935.

Senator Paul Schmidt,
General Assembly, State House,
Des Moines, Iowa.

DEAR SENATOR: On request the writer appeared before a committee of the General Assembly Tuesday afternoon, April 2, 1935, in Senate committee room No. 23. You will recall a discussion in relation to the

safeguarding of the hoist for ashes in the boiler room of the state power house, and that the statement was made that a contract had already been let by the custodian of the state house for the necessary repairs to make this hydraulic hoist safe for the purpose it is now being used.

The other matter discussed was in relation to the two (2) passenger elevators in the state house. Particularly in reference to whether or not they are considered safe. The question of their safety apparently arose shortly after the beginning of the General Assembly when several new, inexperienced operators were placed in charge of the operating of these elevators. No doubt, because of the lack of experience, many times the elevator car would not stop level with the landing, and, occasionally, would go below the basement landing far enough to cause the automatic controlling device to operate to stop the car, thus making it necessary for someone to go to the machine room at the top of the hoistway to place the car back in operation again. This, of course, caused considerable delay and perhaps some alarm to the passengers in the car and to those desiring to use it. The operation of these devices to stop the car under such circumstances is the best evidence they are working properly and does not indicate an unsafe condition. Experienced operators very rarely have an experience of this kind in the operation of an elevator as it is possible for them to bring the car to a stop very near or level with the landing.

The writer has, on several occasions, made an inspection of the two (2) elevators in question and has been present during tests that were made of the safety devices, and has at times recommended certain improvements or renewal of worn parts. These two (2) elevators have been used about ten (10) years and were installed to take the place of two (2) other elevators that had been in service for a number of years and were made by the same company that made and installed the present elevators. The present elevators and equipment include some of the equipment that was a part of the former installation. These elevators are what are known as traction type machines operated by AC current two-speed with acceleration controlled by time delayed relay system of resistance. The control being what is generally known as magnetic speed. The brake is set by a spring and is released by electric magnets when the power is applied to operate the elevator. The safety devices include centrifugal governor located in the machine room at the top of hoistway and the necessary wedge clamp safety device located under the car platform to stop the car in case of the car overspeeding or cables failing for any reason. There are also proper limits switches to slow down the car and to finally stop the car at both the top and bottom of the hoistway. The hoistway doors are equipped with interlocks to prevent the operation of the car unless the door is closed and locked.

The safety of an elevator depends upon three (3) main features: First, the elevator cables; second, the machine brake; and third, the car safeties, particularly the safety device that is intended to stop the car in the event the cables and brake fail. There is no question, in the case of these two (2) elevators, as to the safety of the cables as they are renewed from time to time when they become worn enough to warrant their renewal.

The brakes on these cars are not effective in the manner that they should be. First, because of the design and, second, because of the difficulty in properly adjusting them to permit the brake to fully release when the car is started. Because of this lack of efficient operation, it is sometimes difficult for an operator with a fully loaded car to properly control the car to make a good landing at the floor level, and, again, because of the fact the brakes do not fully release as they should, it requires much more power than ordinarily would be necessary to operate the elevator.

The operation of the safety to stop the elevator car when the cables and brake fail depends on the proper operation of the speed governor, located in the machine room, which is intended to cause the safety under the car to be set when the elevator car exceeds its normal speed, not less than fifteen (15) per cent nor more than forty (40) per cent. The governors on these two (2) cars appear to be a part of the former equipment of the former elevators and were partly remodeled to operate the safeties and the mechanism to slow down the car speed. The mechanism of these governors does not always operate properly and thereby causes a partial setting of the "jaws" or "dogs" that clamp the governor cable, thus permitting the governor cable to cause a wearing away of a portion of the "jaws" or "dogs", making it doubtful as to whether or not they will properly function in case of accident, such as the cables or brake failing or the car overspeeding for any other reason. It has been necessary to replace these parts for the governor at various times.

The above conditions referred to would indicate a need for a general overhaul or replacement of such parts as may be necessary to remove any question of doubt as to the proper operation of the brakes or the governor and associated safety devices.

The question as to whether or not new elevators of superior quality and better operation should be purchased to replace the present equipment is not considered by the writer as one within his province to decide. The same applies in relation to advisability of spending additional sums from time to time in the repair of the present equipment instead of purchasing new elevators.

You understand, of course, that during ordinary times one (1) elevator does most of the work in taking care of the service required. This might suggest the possibility of one (1) new elevator being installed at this time and at some future time the other one could be replaced with new equipment.

In any event the writer suggests some provision should be made to properly care for the needs of repair or replacement of the brakes and safeties connected with the governor of these two (2) elevators, and that the custodian or someone should have authority to select and employ only experienced operators or to properly train new operators before they are placed in charge of either of the elevators.

The custodian of the state house has caused the two (2) passenger elevators to be frequently inspected in an effort to afford continuous and safe operation of the elevators and render the best type of service to the patrons of the state house.

In each instance where it has been necessary to make repairs, the executive council has authorized such expenditures promptly and has thereby shown a disposition to make it possible to have the elevators safe for the use of the public.

Respectfully submitted,

J. D. SEAMAN, *Deputy Labor Commissioner.*

Approved: FRANK E. WENIG, *Labor Commissioner.*

AMENDMENTS FILED

Amend House File 67 by striking all after the enacting clause therein and substituting in lieu thereof the following:

"Section 1. Creation of department. There is hereby created a department of the state government which shall be known as the motor vehicle department, the executive head of which shall be a superintendent, whose salary shall be three thousand six hundred (3,600) dollars a year.

"Sec. 2. Initial appointment. The Governor, forthwith, after the passage of this act, shall appoint, with the approval of two-thirds ($\frac{2}{3}$) of the members of the Senate in executive session, a qualified elector of the state as superintendent of the motor vehicle department who shall serve until July 1, 1939.

"Sec. 3. Regular appointment. The Governor, within sixty (60) days following the organization of the regular session of the General Assembly in 1939, and every four (4) years thereafter, shall appoint, with the approval of two-thirds ($\frac{2}{3}$) of the members of the Senate in executive session, a qualified elector of the state as superintendent of the motor vehicle department who shall serve for four (4) years from and including July first of the year of appointment.

"Sec. 4. Vacancies. A vacancy in the office of superintendent of the motor vehicle department that may occur while the General Assembly is not in session shall be filled by appointment by the Governor, which appointment shall expire thirty (30) days from the time the General Assembly next convenes. Prior to the expiration of said thirty (30) days, the Governor shall transmit to the Senate for its confirmation an appointment for the unexpired portion of the regular term.

A vacancy occurring during a session of the General Assembly shall be filled as the regular appointment is made and before the end of said session and for the unexpired portion of the regular term.

"Sec. 5. Removal. The Governor, with the approval of the Senate, during a session of the General Assembly, may remove the superintendent of the motor vehicle department for malfeasance or nonfeasance in office, or for any cause that renders him ineligible to appointment or incapable or unfit to discharge the duties of his office, and his removal when so made shall be final.

Said superintendent shall also be removable as provided in chapter fifty-six (56), Code, 1931.

"Sec. 6. Political activity. Neither said superintendent nor any employee of his department shall, while he or she is so acting engage, directly or indirectly, in any partisan political activity or contribute any money or things of value to any political campaign fund of any political party or person.

"Sec. 7. Disqualification. The superintendent aforesaid shall not be eligible to any lucrative office, elective or appointive, during his incumbency.

"Sec. 8. The term 'secretary of state' is hereby stricken from all statutes now appearing in chapter two hundred fifty-one (251), Code, 1931, and the term 'motor vehicle department' is inserted in lieu thereof, except that this section shall not apply to sections five thousand seventy-nine-d eleven (5079-d11), to five thousand seventy-nine-d twenty-four (5079-d24), inclusive.

"Sec. 9. Highway patrol. The superintendent of the motor vehicle department is empowered and directed to create in said department a division which shall be known as a state highway patrol. Said patrol shall be composed of not to exceed fifty (50) employees who shall, under the direction of the said superintendent, patrol the highways of the state, and assist said superintendent, and other law-enforcing officers, in the enforcement of the laws relative to motor vehicles and the operation thereof, and perform such other duties as may be imposed or granted by law.

"Sec. 10. Each member of the state highway patrol is hereby granted only such necessary police power as will enable him to properly enforce the provisions of chapter two hundred fifty-one (251), Code, 1931, as amended, and shall have the authority to arrest, without a warrant, any person committing, or attempting to commit, within his presence or view a breach of the peace and shall have the power to pursue and arrest without a warrant, a person suspected of violating the law. For the purposes of this act, the jurisdiction of the state highway patrol shall be statewide.

"Sec. 11. No person shall be selected as a member of said patrol unless he is at least twenty-one (21) years of age; of good moral character; shall have been a citizen of the United States for at least ten (10) years, and of the state of Iowa for at least five (5) years immediately prior to the date of his application and shall submit to and satisfactorily pass a uniform examination for physical and mental fitness.

"Sec. 12. Oath and bond. Each member of said patrol shall qualify and give bond as provided by law.

"Sec. 13. Nonpartisan selection. Political affiliation shall not be considered in selecting members of the state highway patrol.

"Sec. 14. After six months of service, a member of the state highway patrol shall not be discharged except for cause upon a hearing before the superintendent.

"Sec. 15. Compensation of members of the state highway patrol shall be fixed by the superintendent of the motor vehicle department with the approval of the state comptroller.

"Sec. 16. Expenses. Members of the said patrol shall, in addition to their salaries, be repaid all reasonable and necessary expense incurred by them in the discharge of their official duties.

"Sec. 17. Fees and rewards. All fees and rewards received by a member of said patrol and arising out of the discharge of his official duties shall belong to the state and be forthwith turned over to the treasurer of state.

"Sec. 18. Section forty-nine hundred sixty-d twenty-five (4960-d25), Code, 1931, as amended by section three (3) of chapter seventy-seven (77), acts of the Forty-fifth General Assembly, is amended by striking out the last sentence in said section, as so amended, and by inserting the following in lieu thereof, to wit:

'the balance of such license fees shall be forwarded to the treasurer of state who shall credit the amount thereof to a trust fund which shall be used exclusively for the payment of expenditures incurred by the division of state highway patrol.'

"Sec. 19. Section forty-nine hundred sixty-d twenty-six (4960-d26), Code, 1931, is amended by striking from line 2 the word 'twenty-five' and inserting in lieu thereof the following: 'fifty' and by striking from line 3 the word 'two' and by inserting in lieu thereof the word 'three.'

"Sec. 20. Chapter eighty-one (81), acts of the Forty-fifth General Assembly, is amended by striking from line 5 of section one (1) the word 'December' and by inserting in lieu thereof the word 'March.'

"Sec. 21. Upon the qualification of the superintendent as herein provided the secretary of state shall forthwith deliver to said superintendent all books, documents, records, papers, office furniture and equipment belonging to the state and heretofore employed in carrying on the motor vehicle department within said office of secretary of state.

"Sec. 22. Section ten hundred sixty-three (1063), Code, 1931, is amended by adding thereto the following separate paragraphs which the Code editor is directed to number appropriately in the Code of 1935, to wit:

'Superintendent of the motor vehicle department, ten thousand (10,000) dollars.

'Each member of the state highway patrol, five thousand (5,000) dollars.'

"Sec. 23. This act, being deemed of immediate importance, shall take effect and be in force from and after its passage and publication in the Keosauqua Republican, a newspaper published in Keosauqua, Iowa, and the Iowa City Press-Citizen, a newspaper published at Iowa City, Iowa."

JOHN N. CALHOUN.

PAUL SCHMIDT.

Amend House File 65 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section thirty-nine hundred forty-four-d one (3944-d1), Code, 1931, is hereby amended by adding thereto the following:

"The said board shall also have power at its discretion to obtain insurance against loss or injury by fire or other cause upon any property under its control.

"It is not the policy of the state of Iowa to carry insurance upon its property but recognizing that an emergency now exists, and that in case of a substantial loss, funds for replacing such loss would not be available. Therefore, the said board shall not contract for insurance against loss or injury by fire or other cause upon any property under its control for a period extending past May 1, 1940.'

"Sec. 2. This act, being adopted to meet an emergency and being deemed of immediate importance, shall be in force and effect from and after its passage and publication in the Iowa City Press-Citizen, and in the Mason City Globe-Gazette, newspapers published at Iowa City, Iowa, and Mason City, Iowa, respectively." LEO ELTHON.

Amend House File 67 by striking the figures "100.00" in line 6, section ten (10), and inserting in lieu thereof "125.00."

Also by striking the words and figures "one hundred twenty-five (125)" in line 11, section ten (10), and inserting in lieu thereof "one hundred fifty (150)." E. I. MASON.

Senator Stanley moved that the Senate adjourn until 10:00 a. m., Thursday.

Senator Husted moved to amend the pending motion to read "9:00 a. m., Thursday."

The motion prevailed and the amendment to the motion was adopted.

The chair called for a division of the vote and announced that the motion, as amended, had prevailed. The Senate adjourned until 9:00 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 18, 1935.

The Senate met in regular session, Senator Wilson presiding at the request of President N. G. Kraschel.

Prayer was offered by Rev. C. L. Young, pastor of the St. Andrew United Brethren church at Des Moines.

The Journal of April 17, 1935 was approved.

PETITIONS AND MEMORIALS

The following petitions favoring the tax on the so-called "chain stores" doing business in the state were received and filed, to be referred to the committee on cities and towns:

Senator Husted, from residents of Madison county; Senator Aschenbrenner, from residents of Monroe and Marion counties; Senator Schmidt, from residents of Iowa county; Senator Anderson, from residents of Webster county; Senator Knudson, from residents of Wright, Hardin and Hamilton counties; Senator Millhone, from residents of Page counties; Senator Stevens of Decatur, from residents of Union county; Senator Shaw, from residents of Buena Vista county.

The following petitions opposing the tax on the so-called "chain stores" doing business in the state were received and filed, to be referred to the committee on cities and towns:

Senator Elthon, from residents of Winnebago county; Senator Shaw, from residents of Buena Vista county; Senator Knudson, from residents of Wright, Hardin and Hamilton counties.

The following petitions were received and filed, to be referred to the designated committees:

Senator Stanley, from residents of Adams county, favoring the amendment to the chain store bill protecting Iowa owned and operated chain stores. Committee on cities and towns.

Senator Schmidt, from residents of Iowa county, favoring House File 66. Committee on ways and means.

Senator Elthon, from residents of Worth county, opposing House File 66. Committee on ways and means.

Senator Knudson, from residents of Hamilton county, opposing legislation centralizing power of jurisdiction over schools into county, state or national units. Committee on public schools.

Senator Knudson, from residents of Hamilton county, opposing House File 253. Committee on ways and means.

Senator Kimberly, from residents of Scott county, opposing Senate File 283. Committee on public welfare.

Senator Knudson, from residents of Hardin county, favoring Senate File 302. Committee on motor vehicles.

Senator Knudson, from residents of Hardin county, opposing the basic science bill. Committee on public health.

Senator Knudson, from residents of Hamilton county, favoring the basic science bill. Committee on public health.

Senator Harrington, from residents of Woodbury county, favoring House File 239. Committee on public health.

Senator Reese, from residents of Marshall county, favoring House File 186. Committee on highways.

Senator Elthon, from residents of Winnebago county, opposing Senate File 133. Committee on manufacturing, commerce and trade.

Senator Knudson, from residents of Hamilton county, favoring House File 203. Committee on public health.

INTRODUCTION OF BILLS

Senate File 387, by committee on emergency legislation, a bill for an act to amend section seventy-four hundred twenty-d-six (7420-d6), Code, 1931, as amended, relating to public deposits.

The bill was read first and second times and referred to the sifting committee.

Senate File 388, by committee on claims, a bill for an act to make appropriations to Maud Emerson Barnhart, William A. Emerson, administrator, Ray Lowrey, Fred Spatz, Harry Lund, R. M. Maples, Earl Connell, Ivan A. Connell, Orville Connell, Rollin Connell,

Ross Connell, Mrs. J. W. Kinney, J. W. Daniels, H. F. Carr and Major Elton L. Titus.

The bill was read first and second times and referred to the committee on appropriations.

Senate File 389, by committee on appropriations, a bill for an act to make an appropriation to the Iowa national guard to cover the cost of the erection of a garage and machine shop and to replace equipment lost when fire destroyed the garage and machine shop during the month of November, 1934 and which was not replaced from funds from the providential and contingent fund.

The bill was read first and second times and placed on the calendar.

Senate File 390, by committee on appropriations, a bill for an act to make an appropriation to the bureau of labor for the purpose of carrying out the provisions of chapter sixteen (16), acts of the Forty-fifth General Assembly, Extraordinary Session.

The bill was read first and second times and placed on the calendar.

HOUSE MESSAGES CONSIDERED

House File 311, a bill for an act to impose an occupation tax on conducting a business by a system of chain stores for selling or otherwise disposing of tangible personal property, such as goods, wares and merchandise at retail, with certain exceptions; providing for the assessment and collection of said tax, and for the distribution and use of the proceeds therefrom; providing for appeals by taxpayers; providing for the administration of said law; providing penalties and fines for the violation thereof; and providing for an appropriation for the enforcement thereof and the repealing of any laws in conflict herewith.

The bill was read first and second times and referred to the sifting committee.

COMMUNICATION RECEIVED

The following communication was received and placed on file:

CONGRESS OF THE UNITED STATES

HOUSE OF REPRESENTATIVES
Washington, D. C.
Committee: Foreign Affairs

April 16, 1935.

Hon. H. M. Zacherle,
Secretary of the Senate, State House,
Des Moines, Iowa.

MY DEAR SECRETARY: This office acknowledges receipt of photostatic copy of resolution known as the Senate concurrent resolution by Stanley, relative to travel pay of certain troops during the Spanish American war.

Sincerely yours,

G. M. GILLETTE.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had signed Senate Files 50 and 118 on April 17, 1935.

On motion of Senator Harrington, the following bills by the committee on claims were taken up for consideration:

THIRD READING OF BILLS

Senate File 375, a bill for an act to make an appropriation to H. W. Hanson as guardian of Cleo D. Allen, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch offered the following amendment and moved its adoption:

Amend Senate File 375 as follows:

1. Strike from line 3 of section one (1) the words "guardian for Cleo D. Allen, incompetent" and insert in lieu thereof the words "administrator of the estate of Cleo D. Allen, deceased."

2. Strike from line 2 of paragraph two (2) the following words: "guardian of Cleo D. Allen, incompetent" and insert in lieu thereof the words "administrator of the estate of Cleo D. Allen, deceased."

3. Strike from line 2 of section three (3) the word "guardian" and insert in lieu thereof the word "administrator" and strike from line 4 of said section three (3) the words "ward or his guardian" and insert in lieu thereof the words "Cleo D. Allen or his estate."

The motion prevailed and the amendment was adopted.

By unanimous consent granted Senator Fisch, the secretary was ordered to correct the title to read as follows: "A bill for an

act to make an appropriation to H. W. Hanson, administrator of the estate of Cleo D. Allen, deceased."

Senator Fisch moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 37:

Bell of	Elthon	Knudson	Pendray
Des Moines	Fisch	Malone	Schmidt
Berg	Geske	Mason	Shaw
Billingsley	Goetsch	McArthur	Stanley
Calhoun	Grunewald	Meyer	Stevens of
Corwin	Harrington	Miller	Decatur
Dewey	Hopkins	Millhone	Stevens of
Donohue	Hush	Moore	Wapello
Doze	Husted	Mullaney	Valentine
Driscoll	Kimberly	Nelson	Wilson

Nays, 1:

Shangle.

Absent or not voting, 12:

Anderson	Beardsley	Chrystal	Patterson
Aschenbrenner	Bell of Crawford	Irwin	Reese
Baldwin	Byers	Parker	Roelofs

The bill as amended having received a two-thirds majority was declared to have passed the Senate and the title as amended was agreed to.

House File 455, a bill for an act to make an appropriation to R. E. Frisby and D. A. Luing, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 40:

Aschenbrenner	Elthon	Malone	Schmidt
Bell of	Fisch	Mason	Shangle
Des Moines	Geske	McArthur	Shaw
Berg	Goetsch	Meyer	Stanley
Billingsley	Grunewald	Miller	Stevens of
Calhoun	Hopkins	Millhone	Decatur
Corwin	Hush	Moore	Stevens of
Dewey	Husted	Mullaney	Wapello
Donohue	Irwin	Nelson	Valentine
Doze	Kimberly	Patterson	Wilson
Driscoll	Knudson	Pendray	

Nays, none.

Absent or not voting, 10:

Anderson	Bell of Crawford	Harrington	Reese
Baldwin	Byers	Parker	Roelofs
Beardsley	Chrystal		

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

House File 473, a bill for an act to make an appropriation to Charles Flinchum, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 39:

Aschenbrenner	Elthon	Knudson	Pendray
Bell of	Fisch	Malone	Schmidt
Des Moines	Geske	Mason	Shaw
Berg	Goetsch	McArthur	Stanley
Billingsley	Grunewald	Meyer	Stevens of
Byers	Harrington	Miller	Decatur
Calhoun	Hopkins	Millhone	Stevens of
Corwin	Hush	Moore	Wapello
Dewey	Husted	Mullaney	Valentine
Doze	Irwin	Nelson	Wilson
Driscoll	Kimberly		

Nays, 1:

Shangle

Absent or not voting, 10:

Anderson	Bell of Crawford	Parker	Reese
Baldwin	Chrystal	Patterson	Roelofs
Beardsley	Donohue		

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

House File 474, a bill for an act to make an appropriation to Marion Stephens, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 41:

Bell of Crawford	Driscoll	Knudson	Pendray
Bell of	Elthon	Malone	Schmidt
Des Moines	Fisch	Mason	Shangle
Berg	Geske	McArthur	Shaw
Billingsley	Goetsch	Meyer	Stanley
Byers	Grunewald	Miller	Stevens of
Calhoun	Harrington	Millhone	Decatur
Corwin	Hopkins	Moore	Stevens of
Dewey	Hush	Mullaney	Wapello
Donohue	Husted	Nelson	Valentine
Doze	Kimberly	Patterson	Wilson

Nays, none:

Absent or not voting, 9:

Anderson	Beardsley	Irwin	Reese
Aschenbrenner	Chrystal	Parker	Roelofs
Baldwin			

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

House File 475, a bill for an act to make an appropriation to Guy Boyles, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered

the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 45:

Aschenbrenner	Doze	Kimberly	Pendray
Bell of Crawford	Driscoll	Knudson	Reese
Bell of	Elthon	Malone	Schmidt
Des Moines	Fisch	Mason	Shangle
Berg	Geske	McArthur	Shaw
Billingsley	Goetsch	Meyer	Stanley
Byers	Grunewald	Miller	Stevens of
Calhoun	Harrington	Moore	Decatur
Chrystal	Hopkins	Mullaney	Stevens of
Corwin	Hush	Nelson	Wapello
Dewey	Husted	Parker	Valentine
Donohue	Irwin	Patterson	Wilson

Nays, none:

Absent or not voting, 5:

Anderson	Beardsley	Millhone	Roelofs
Baldwin			

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

House File 476, a bill for an act to make an appropriation to Clarence R. Killion, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 43:

Aschenbrenner	Driscoll	Mason	Reese
Bell of Crawford	Elthon	McArthur	Schmidt
Bell of	Fisch	Meyer	Shangle
Des Moines	Geske	Miller	Shaw
Berg	Grunewald	Millhone	Stanley
Billingsley	Harrington	Moore	Stevens of
Calhoun	Hopkins	Mullaney	Decatur
Chrystal	Hush	Nelson	Stevens of
Corwin	Husted	Parker	Wapello
Dewey	Kimberly	Patterson	Valentine
Donohue	Knudson	Pendray	Wilson
Doze	Malone		

Nays, none:

Absent or not voting, 7:

Anderson	Beardsley	Goetsch	Roelofs
Baldwin	Byers	Irwin	

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

House File 477, a bill for an act to make an appropriation to Mamie V. Grimso, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 43:

Aschenbrenner	Driscoll	Kimberly	Pendray
Bell of Crawford	Elthon	Knudson	Reese
Bell of	Fisch	Malone	Roelofs
Des Moines	Geske	Mason	Schmidt
Berg	Goetsch	McArthur	Shangle
Billingsley	Grunewald	Meyer	Shaw
Byers	Harrington	Miller	Stanley
Calhoun	Hopkins	Millhone	Stevens of
Corwin	Hush	Moore	Decatur
Dewey	Husted	Mullaney	Valentine
Donohue	Irwin	Nelson	Wilson
Doze			

Nays, none:

Absent or not voting, 7:

Anderson	Beardsley	Parker	Stevens of
Baldwin	Chrystal	Patterson	Wapello

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

House File 478, a bill for an act to make an appropriation to Dolan Allen, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 43:

Aschenbrenner	Doze	Knudson	Reese
Beardsley	Driscoll	Mason	Schmidt
Bell of Crawford	Elthon	McArthur	Shangle
Bell of Des Moines	Fisch	Meyer	Shaw
Billingsley	Geske	Miller	Stanley
Byers	Grunewald	Millhone	Stevens of Decatur
Calhoun	Harrington	Mullaney	Stevens of Wapello
Chrystal	Hopkins	Nelson	Valentine
Corwin	Hush	Parker	Wilson
Dewey	Husted	Patterson	
Donohue	Irwin	Pendray	
	Kimberly		

Nays, none:

Absent or not voting, 7:

Anderson	Berg	Malone	Roelofs
Baldwin	Goetsch	Moore	

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

House File 479, a bill for an act to make appropriations to Carl Feucht and the National Refining Company, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 40:

Aschenbrenner	Doze	Kimberly	Schmidt
Beardsley	Driscoll	Knudson	Shangle
Bell of Crawford	Fisch	Malone	Shaw
Bell of Des Moines	Geske	McArthur	Stanley
Berg	Goetsch	Meyer	Stevens of Decatur
Billingsley	Grunewald	Miller	Stevens of Wapello
Byers	Harrington	Millhone	Valentine
Calhoun	Hopkins	Mullaney	Wilson
Dewey	Hush	Patterson	
Donohue	Husted	Pendray	
	Irwin	Reese	

Nays, none.

Absent or not voting, 10:

Anderson	Corwin	Moore	Parker
Baldwin	Elthon	Nelson	Roelofs
Chrystal	Mason		

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

House File 480, a bill for an act to make an appropriation to Arthur H. Peterson, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 41:

Aschenbrenner	Doze	Kimberly	Reese
Beardsley	Driscoll	Knudson	Schmidt
Bell of	Elthon	Malone	Shangle
Des Moines	Fisch	Mason	Shaw
Billingsley	Geske	McArthur	Stanley
Byers	Grunewald	Meyer	Stevens of
Calhoun	Harrington	Miller	Decatur
Chrystal	Hopkins	Millhone	Stevens of
Corwin	Hush	Moore	Wapello
Dewey	Husted	Mullaney	Valentine
Donohue	Irwin	Patterson	Wilson

Nays, none.

Absent or not voting, 9:

Anderson	Berg	Nelson	Pendray
Baldwin	Goetsch	Parker	Roelofs
Bell of Crawford			

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

House File 481, a bill for an act to make an appropriation to Reed McMurray and Roy Marinelli, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 42:

Aschenbrenner	Doze	Irwin	Pendray
Beardsley	Driscoll	Kimberly	Reese
Bell of	Elthon	Knudson	Schmidt
Des Moines	Fisch	Mason	Shaw
Berg	Geske	McArthur	Stanley
Billingsley	Goetsch	Meyer	Stevens of
Byers	Grunewald	Millhone	Decatur
Calhoun	Harrington	Moore	Stevens of
Chrystal	Hopkins	Mullaney	Wapello
Corwin	Hush	Parker	Valentine
Dewey	Husted	Patterson	Wilson
Donohue			

Nays, none.

Absent or not voting, 8:

Anderson	Bell of Crawford	Miller	Roelofs
Baldwin	Malone	Nelson	Shangle

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

House File 482, a bill for an act to make an appropriation to George Kanak, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 40:

Anderson	Dewey	Husted	Moore
Aschenbrenner	Donohue	Irwin	Mullaney
Beardsley	Doze	Kimberly	Patterson
Bell of Crawford	Driscoll	Knudson	Schmidt
Bell of	Elthon	Malone	Shaw
Des Moines	Fisch	Mason	Stanley
Berg	Geske	McArthur	Stevens of
Billingsley	Goetsch	Meyer	Decatur
Byers	Grunewald	Miller	Valentine
Calhoun	Hopkins	Millhone	Wilson
Corwin	Hush		

Nays, 1:

Shangle

Absent or not voting, 9:

Baldwin	Nelson	Reese	Stevens of
Chrystal	Parker	Roelofs	Wapello
Harrington	Pendray		

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

House File 483, a bill for an act to make an appropriation to John Kanak, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 40:

Anderson	Dewey	Irwin	Patterson
Aschenbrenner	Donohue	Kimberly	Pendray
Bell of Crawford	Doze	Knudson	Schmidt
Bell of Des Moines	Driscoll	Mason	Shaw
Berg	Elthon	McArthur	Stanley
Billingsley	Fisch	Meyer	Stevens of
Byers	Geske	Miller	Decatur
Calhoun	Goetsch	Millhone	Stevens of
Chrystal	Hopkins	Moore	Wapello
Corwin	Hush	Mullaney	Wilson
	Husted	Parker	

Nays, 1:

Shangle

Absent or not voting, 9:

Baldwin	Harrington	Nelson	Roelofs
Beardsley	Malone	Reese	Valentine
Grunewald			

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

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 107 and 378.

JOHN N. CALHOUN, *Chairman Senate Committee.*
DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 107 and 378.

BILLS SENT TO THE GOVERNOR

Senator Calhoun, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 18th day of April, 1935, sent to the Governor for his approval Senate Files 107 and 378. JOHN N. CALHOUN, *Chairman.*

Passed on file.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File 76, a bill for an act pertaining to motor vehicle testing stations.

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

Senate File 159, a bill for an act to regulate the purchase, sale, handling and treatment of cream, etc.

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

Senate File 329, a bill for an act relating to the powers of the commission of aeronautics and erection of objects or structures near airports.

VIRGIL LEKIN, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 76

Amend section one (1) as follows:

1. Subsection four (4), lines 2 and 3, by striking the words and figures "fifty (50) cents per test and not more than one (1) dollar per annum," and inserting in lieu "twenty-five (25) cents per test and not more than fifty (50) cents per year, provided, however, this provision shall not apply to cities having a population of one hundred thousand (100,000) or more,".

2. Subsection four (4), by adding thereto the following: "Any surplus remaining in said fund at the end of the fiscal year over and above the actual cost of operating the testing station, shall be paid into the general fund of the city or town."
3. Subsection eight (8), line 41, by striking the word "whether" and inserting in lieu "when"; also strike from said line 41 the words "or non-residents or" and insert in lieu "of."

HOUSE AMENDMENTS TO SENATE FILE 159

1. Amend section one (1) by striking the period at the end thereof and adding the following: "and is an amendment to Title X, Code, 1931."
2. Amend section twenty-six (26), line 10, by striking the word "the" and inserting the word "Knowingly."
3. Amend the title by inserting after the word "act" in line 1 the following: "to amend Title X, Code, 1931;".

THIRD READING OF BILLS

Senate File 357, a bill for an act to amend and revise chapter nineteen (19), acts of the Forty-fifth General Assembly in Extraordinary Session, relating to the protection, welfare and assistance of aged persons in need and having domicile in the state of Iowa, relating to the method therefor; relating to the tax levied to support an assistance system; relating to recovery by the state from the estate and life insurance of a deceased recipient for assistance paid him during his lifetime; creating a fund to be known as the old age assistance revolving fund and making an appropriation therefor, was taken up and considered.

The bill was read for information.

Senator Hush offered the following amendment and moved its adoption:

Amend Senate File 357:

1. By striking from line 6 of section one (1) the word "one" and inserting in lieu thereof the word "he."
2. By striking lines 10 to 18, inclusive, of section eight (8) and inserting in lieu thereof the following:
"Further amend said section by striking lines 6 and 7 and inserting in lieu thereof the following:
"c. Is a citizen of the United States."
By striking from line 22 of section eight (8) the word "ten" and inserting in lieu thereof the word "nine."
By striking from line 26 of section eight (8) the words "thirty-six months" and inserting in lieu thereof the words "four years."
By striking from line 31 of section eight (8) the word "ten" and inserting in lieu thereof the word "nine."
By striking from line 32 of section eight (8) the word "three" and inserting in lieu thereof the word "one."

By striking from line 35 of section eight (8) the words "six months" and inserting in lieu thereof the words "thirty days."

By striking from line 36 of section eight (8) the words "three years" and inserting in lieu thereof the words "one year."

3. By striking from line 23 of section twelve (12) the word "commission's."

4. By striking from lines 4 and 5 of section twenty-three (23) the words "state board of assessment and review" and inserting in lieu thereof the words "auditor of state."

5. By striking from line 23 of section twenty-three (23) the word "serve" and inserting in lieu thereof the words "cause to be served a."

By inserting, following the word "notice" in line 24 of section twenty-three (23), the words and punctuation ", which shall be served in the same manner as an original notice,".

By inserting, following the word "due" in line 25 of section twenty-three (23), the words "and costs of collection."

By inserting, following the word "paid" in line 27 of section twenty-three (23), the words "in tax, penalty and cost of collection."

By inserting, following the word "employee" in line 28 of section twenty-three (23), the words "but costs of collection shall not be chargeable unless the tax and penalties are collected."

By inserting, following line 40 of section twenty-three (23), the paragraph:

"The penalties accruing under the provisions of this section shall accompany the tax and be credited to the old age pension fund."

The motion prevailed and the amendment was adopted.

Senator Stanley offered the following amendment and moved its adoption:

Amend Senate File 357 in section twelve (12) by striking from lines 3, 4, 5 and 6 the following words: "by adding to line 10, the following sentence: 'The county recorder shall not charge a fee for such recording and indexing.' Further amend said section."

The chair called for a division of the vote and announced the motion to amend was lost.

President pro tempore Harold L. Irwin took the chair at 11:10 a. m.

Senator Stanley offered the following amendment and moved its adoption:

Further amend Senate File 357 by striking section twenty-two (22) thereof.

Senator Shangle asked unanimous consent that the rules be suspended and Mr. Byron G. Allen be permitted to explain Senate File 357. Objections were raised and the request was denied.

Senator Hopkins moved that the Senate recess until 1:15 p. m.

By unanimous consent Senator Hopkins withdrew his motion.

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

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 30:

Anderson	Corwin	Goetsch	Parker
Aschenbrenner	Dewey	Grunewald	Patterson
Beardsley	Donohue	Hopkins	Pendray
Bell of	Doze	Husted	Shaw
Des Moines	Driscoll	McArthur	Stanley
Berg	Elthon	Miller	Stevens of
Billingsley	Fisch	Millhone	Wapello
Calhoun	Geske	Moore	Wilson

Nays, 12:

Chrystal	Malone	Reese	Stevens of
Hush	Meyer	Roelofs	Decatur
Kimberly	Mullaney	Shangle	Valentine
Knudson			

Absent or not voting, 8:

Baldwin	Byers	Irwin	Nelson
Bell of Crawford	Harrington	Mason	Schmidt

The motion prevailed and the amendment was adopted.

Senator Stanley offered the following amendment and moved its adoption:

Further amend Senate File 357, section twenty-four (24) of said act, by striking therefrom lines 25 to 52 inclusive.

Senator Millhone moved the previous question, which motion prevailed.

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 10:

Beardsley	Corwin	Goetsch	Shaw
Berg	Dewey	Husted	Stanley
Calhoun	Fisch		

Nays, 28:

Anderson	Grunewald	Millhone	Shangle
Aschenbrenner	Hopkins	Mullaney	Stevens of
Chrystal	Hush	Parker	Decatur
Donohue	Kimberly	Patterson	Stevens of
Doze	Knudson	Pendray	Wapello
Driscoll	Malone	Roelofs	Valentine
Elthon	McArthur	Schmidt	Wilson
Geske	Meyer		

Absent or not voting, 12:

Baldwin	Billingsley	Irwin	Moore
Bell of Crawford	Byers	Mason	Nelson
Bell of	Harrington	Miller	Reese
Des Moines			

The motion to amend was lost.

Senator Stanley offered the following amendment and moved its adoption:

Amend Senate File 357 by striking section five (5) thereof.

The motion prevailed and the amendment was adopted.

Senator Berg offered the following amendment and moved its adoption:

Amend Senate File 357 by striking from section twenty-four (24) all of lines 16 to 24 inclusive.

Senator Donohue moved the previous question, which motion prevailed.

The motion to amend was lost.

Senator Anderson was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 391, by committee on compensation of public officers, a bill for an act to amend section fifty-two hundred twenty-eight (5228) of the Code of Iowa, 1931, relating to the compensation of county attorneys and to amend section fifty-two hundred twenty-nine (5229) of the Code, relating to the compensation of assistant county attorneys.

The bill was read first and second times and referred to the sifting committee.

Senator Husted moved that the Senate recess until 1:00 p. m.

Senator Shangle moved to amend the motion to read "1:30 p. m."

The motion prevailed and the amendment to the amendment was adopted.

The motion, as amended, prevailed and the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

Having recessed until 1:30 p. m. the Senate reconvened, President N. G. Kraschel presiding.

CONSIDERATION OF SENATE FILE 357 RESUMED

Senator Grunewald offered the following amendment and moved its adoption:

Amend Senate File 357 by inserting between lines 7 and 8 of section twelve (12), the following:

"Assistance furnished under this act shall not constitute a lien on any real estate owned by the Indian tribes residing in this state. This is the sole exception to the provisions of this and the preceding section."

The motion prevailed and the amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 357 as follows:

1. By striking all of section twenty-two (22).
2. Amend section thirty-four (34), acts of the Forty-fifth General Assembly in Extraordinary Session, by striking the period in line 4 and inserting after the word "act" in line 4 the following words: "Including all expense of local boards and salaries and expense of investigators employed by said local boards."

Senator Donohue was granted unanimous consent to withdraw part one (1) of the pending amendment; also to correct part two (2) of the amendment to read as follows:

"By adding thereto as section twenty-seven (27) the following:

'Amend section thirty-four (34), acts of the Forty-fifth General Assembly in Extraordinary Session, by striking the period in line 4 and inserting after the word "act" in line 4 the following words: "Including all expense of local boards and salaries and expense of investigators employed by said local boards.'"

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 21:

Aschenbrenner	Byers	Fisch	Shaw
Beardsley	Calhoun	Goetsch	Stanley
Bell of	Corwin	Hopkins	Stevens of
Des Moines	Dewey	McArthur	Wapello
Berg	Donohue	Millhone	Wilson
Billingsley	Doze	Parker	

Nays, 25:

Anderson	Harrington	Miller	Roelofs
Baldwin	Hush	Moore	Schmidt
Bell of Crawford	Irwin	Mullaney	Shangle
Chrystal	Knudson	Nelson	Stevens of
Elthon	Malone	Pendray	Decatur
Geske	Mason	Reese	Valentine
Grunewald	Meyer		

Absent or not voting, 4:

Driscoll	Husted	Kimberly	Patterson
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The motion to amend was lost.

Senator Donohue offered the following amendment and moved its adoption:

Amend section five (5) of Senate File 357 by adding as section five (5), the following:

"Sec. 5. Amend section seven (7), chapter nineteen (19), acts of the Forty-fifth General Assembly in Extraordinary Session, by striking the first sentence found in lines 1 and 2 and inserting in lieu thereof the following: 'Any member of the board may qualify himself as a local investigator, as hereinafter provided, or the board may appoint one or more local investigators, at a salary for each to be set by the board and approved by the commission.'"

The chair called for a division of the vote and announced the motion prevailed and the amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 357 by striking from section thirteen (13) all of subsection sixteen-A (16-A).

The chair called for a division of the vote and announced the motion to amend was lost.

Senator Shaw offered the following amendment and moved its adoption:

Amend Senate File 357, line 32, of section thirteen (13), by inserting a period after the word "policy" and striking the remainder of the sentence.

The motion prevailed and the amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend section thirteen (13) of Senate File 357 by inserting after the word "claim" in line 10 the following: "By making proper application of the proceeds of said estate."

The motion prevailed and the amendment was adopted.

Senator Roelofs moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 45:

Anderson	Dewey	Husted	Reese
Aschenbrenner	Donohue	Irwin	Roelofs
Baldwin	Doze	Kimberly	Schmidt
Beardsley	Driscoll	Knudson	Shangle
Bell of	Elthon	Malone	Shaw
Des Moines	Fisch	McArthur	Stanley
Berg	Geske	Meyer	Stevens of
Billingsley	Goetsch	Miller	Decatur
Byers	Grunewald	Millhone	Stevens of
Calhoun	Harrington	Mullaney	Wapello
Chrystal	Hopkins	Parker	Valentine
Corwin	Hush	Pendray	Wilson

Nays, 1:

Mason

Absent or not voting, 4:

Bell of Crawford	Moore	Nelson	Patterson
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The bill as amended having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hush moved that the vote by which Senate File 357 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE 357 MESSAGED TO HOUSE

By unanimous consent granted Senator Hush, it was ordered that the rules be suspended and Senate File 357 be messaged to the House immediately.

SENATE FILE 124 AND HOUSE FILE 311 MADE
SPECIAL ORDERS

Senator Harrington moved that House File 311 be made a special order of business for 9:00 a. m., Friday.

As a substitute motion, Senator Irwin moved that Senate File 124 be made a special order of business for 9:00 a. m., Friday.

By unanimous consent Senator Irwin withdrew his motion to substitute.

As a substitute for the Harrington motion, Senator Beardsley moved that Senate File 124 be made a special order of business for 9:00 a. m., Friday, to be followed by House File 311 as a special order.

The motion to substitute prevailed, the substitution was made and the substitute motion prevailed.

THIRD READING OF BILLS

House File 59, a bill for an act to amend section twelve hundred sixteen (1216), Code, 1931, relative to the administration of oaths and empowering investigators for old age assistance to take affirmations in any matter pertaining to the business of their office, was taken up and considered.

The bill was read for information.

Senator Donohue moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 39:

Anderson	Dewey	Irwin	Schmidt
Aschenbrenner	Donohue	Kimberly	Shangle
Baldwin	Doze	Meyer	Shaw
Beardsley	Driscoll	Millhone	Stanley
Bell of	Elthon	Mullaney	Stevens of
Des Moines	Fisch	Nelson	Decatur
Berg	Geske	Parker	Stevens of
Billingsley	Goetsch	Pendray	Wapello
Byers	Harrington	Reese	Valentine
Calhoun	Hopkins	Roelofs	Wilson
Chrystal	Hush		

Nays, none.

Absent or not voting, 11:

Bell of Crawford	Husted	Malone	Moore
Corwin	Knudson	Mason	Patterson
Grunewald	McArthur	Miller	

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

CONSIDERATION OF SENATE FILE 133 CONCLUDED

Senator Valentine called up for consideration the motion by Senator Doze to reconsider the vote by which the Mullaney amendment to Senate File 133 was adopted, as found on page 825 of the Senate Journal.

A call of the Senate being on file, roll call revealed the absence of Senators Bell of Crawford, Knudson, and Patterson.

Senator Elthon insisted on the call of the Senate.

Senator Knudson and Bell of Crawford appeared in the Senate Chamber.

Senator Millhone moved that Senator Patterson be excused from the call of the Senate.

As a substitute motion, Senator Elthon moved that action on the motion to reconsider the amendment and Senate File 133 be deferred.

Senator Wilson raised the point of order that the Elthon substitute motion was out of order inasmuch as it was not germane to the original motion.

The chair ruled the motion to substitute was in order.

Roll call was requested on the motion to substitute.

The question was, Shall the motion to substitute prevail?

On the question, Shall the motion to substitute prevail? the vote was:

Ayes, 22:

Aschenbrenner	Fisch	Mason	Nelson
Calhoun	Goetsch	McArthur	Parker
Chrystal	Grunewald	Meyer	Pendray
Donohue	Harrington	Miller	Roelofs
Doze	Hush	Mullaney	Shaw
Elthon	Malone		

Nays, 25:

Baldwin	Corwin	Kimberly	Stanley
Beardsley	Dewey	Knudson	Stevens of
Bell of	Driscoll	Millhone	Decatur
Des Moines	Geske	Moore	Stevens of
Berg	Hopkins	Reese	Wapello
Billingsley	Husted	Schmidt	Valentine
Byers	Irwin	Shangle	Wilson

Absent or not voting, 3:

Anderson Bell of Crawford Patterson

The motion to substitute was lost.

The chair called for a division of the vote on the Millhone motion and announced the motion prevailed.

Senator Patterson was excused, and therefore the call of the Senate was complete.

The Mullaney amendment to Senate File 133 as follows:

“Amend Senate File 133 by inserting in section two (2), line 1, following the word ‘merchandise’ the following: ‘, except farm machinery, farm equipment, road machinery, and twine.’”

was read for information.

Senator Schmidt moved the previous question, which motion prevailed.

The question was, Shall the motion to reconsider prevail?

On the question, Shall the motion to reconsider prevail? the vote was:

Ayes, 25:

Baldwin	Driscoll	Malone	Stanley
Beardsley	Geske	Millhone	Stevens of
Bell of	Hopkins	Moore	Decatur
Des Moines	Husted	Nelson	Stevens of
Billingsley	Irwin	Reese	Wapello
Byers	Kimberly	Schmidt	Valentine
Corwin	Knudson	Shangle	Wilson

Nays, 22:

Anderson	Dewey	Hush	Mullaney
Aschenbrenner	Donohue	Mason	Parker
Bell of Crawford	Elthon	McArthur	Pendray
Berg	Fisch	Meyer	Roelofs
Calhoun	Goetsch	Miller	Shaw
Chrystal	Grunewald		

Absent or not voting, 3:

Doze Harrington Patterson

The motion to reconsider prevailed.

Senator Byers offered the following amendment and moved its adoption:

Amend the Mullaney amendment to Senate File 133 by striking the words "road machinery," in line 3.

The motion prevailed and the amendment to the amendment was adopted.

Senator Stevens of Wapello offered the following amendment and moved its adoption:

Amend the Mullaney amendment to Senate File 133 by striking the words "farm machinery," and "farm equipment,".

As a substitute, Senator Calhoun offered the following amendment and moved its adoption:

As a substitute for the Stevens of Wapello amendment,
Amend the Mullaney amendment to Senate File 133 by striking the words "farm equipment," in line 3.

The motion to substitute prevailed, the substitution was made, the substitute motion prevailed, and the substitute amendment was adopted.

Senator Doze offered the following amendment and moved its adoption:

Amend the Mullaney amendment to Senate File 133, line 2, by striking the words "farm machinery," and inserting in lieu thereof the words "harvesting machinery,".

Senator Stevens of Wapello offered the following substitute amendment and moved its adoption:

As a substitute for the Doze amendment,
Amend the Mullaney amendment to Senate File 133, line 2, by striking the words "farm machinery," and inserting in lieu thereof "grain binders,".

Senator Roelofs moved the previous question, which motion prevailed.

The chair called for a division of the vote and announced the motion to substitute was lost.

The motion to amend, by Senator Doze, was lost.

The question was, Shall the Mullaney amendment, as amended, be adopted?

Roll call was requested.

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

Ayes, 25:

Anderson	Doze	Hopkins	Miller
Aschenbrenner	Elthon	Hush	Mullaney
Bell of Crawford	Fisch	Kimberly	Parker
Berg	Goetsch	Mason	Pendray
Calhoun	Grunewald	McArthur	Roelofs
Chrystal	Harrington	Meyer	Shaw
Donohue			

Nays, 24:

Baldwin	Dewey	Millhone	Stevens of
Beardsley	Driscoll	Moore	Decatur
Bell of	Geske	Nelson	Stevens of
Des Moines	Husted	Reese	Wapello
Billingsley	Irwin	Schmidt	Valentine
Byers	Knudson	Shangle	Wilson
Corwin	Malone	Stanley	

Absent or not voting, 1:

Patterson

Rule 8 was invoked.

The roll call was verified.

The motion prevailed and the amendment as amended was adopted.

Senator Wilson offered the following amendment and moved its adoption:

Amend Senate File 133 by striking section one (1) thereof and renumbering the remaining sections.

The motion prevailed and the amendment was adopted.

Senator Calhoun offered the following amendment and moved its adoption:

Amend the title of Senate File 133, lines 1 and 2, by striking the words "to repeal chapter fifty (50), acts of the Forty-fifth General Assembly, and to enact a substitute therefor,".

Further amend the title, line 4, by inserting after the word "labor," the following: "except farm machinery and twine,".

The motion prevailed and the amendment was adopted.

Senator Valentine moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 44:

Anderson	Corwin	Kimberly	Roelofs
Aschenbrenner	Dewey	Knudson	Schmidt
Baldwin	Donohue	Malone	Shangle
Beardsley	Driscoll	Mason	Shaw
Bell of Crawford	Elthon	McArthur	Stanley
Bell of Des Moines	Fisch	Meyer	Stevens of Decatur
Berg	Geske	Miller	Stevens of Wapello
Billingsley	Goetsch	Millhone	Valentine
Byers	Grunewald	Mullaney	Wilson
Calhoun	Hopkins	Parker	
Chrystal	Husted	Pendray	
	Irwin	Reese	

Nays, 1:

Harrington

Absent or not voting, 5:

Doze	Moore	Nelson	Patterson
Hush			

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

House File 65, a bill for an act to amend section thirty-nine hundred forty-four-d one (3944-d1), Code, 1931, relating to the powers of the board of education with respect to fire protection and insurance contracts, was taken up and considered.

The bill was read for information.

Senator Elthon offered the following amendment and moved its adoption:

Amend House File 65 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section thirty-nine hundred forty-four-d one (3944-d1), Code, 1931, is hereby amended by adding thereto the following:

'The said board shall also have power at its discretion to obtain insurance against loss or injury by fire or other cause upon any property under its control.

'It is not the policy of the state of Iowa to carry insurance upon its property but recognizing that an emergency now exists, and that in case of a substantial loss, funds for replacing such loss would not be available. Therefore, the said board shall not contract for insurance against loss or injury by fire or other cause upon any property under its control for a period extending past May 1, 1940.'

"Sec. 2. This act, being adopted to meet an emergency and being deemed of immediate importance, shall be in force and effect from and after its passage and publication in the Iowa City Press-Citizen, and in the Mason City Globe-Gazette, newspapers published at Iowa City, Iowa, and Mason City, Iowa, respectively."

Senator Wilson offered the following amendment and moved its adoption:

Amend the Elthon amendment to House File 65, by striking lines 8, 9, 10 and all of line 11 up to and including the word "the" and insert in lieu thereof the word "The."

The motion prevailed and the amendment to the amendment was adopted.

The motion prevailed and the amendment, as amended, was adopted.

President pro tempore Harold L. Irwin took the chair at 3:50 p. m.

Senator Schmidt moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 14:

Anderson	Donohue	Kimberly	Parker
Baldwin	Harrington	McArthur	Valentine
Berg	Hopkins	Nelson	Wilson
Byers	Irwin		

Nays, 31:

Aschenbrenner	Driscoll	Knudson	Schmidt
Beardsley	Elthon	Malone	Shangle
Bell of Crawford	Fisch	Mason	Shaw
Billingsley	Geske	Meyer	Stanley
Calhoun	Goetsch	Millhone	Stevens of
Chrystal	Grunewald	Moore	Decatur
Corwin	Hush	Mullaney	Stevens of
Dewey	Husted	Pendray	Wapello
Doze			

Absent or not voting, 5:

Bell of	Miller	Reese	Roelofs
Des Moines	Patterson		

The bill not having received a constitutional majority was declared to have failed to pass the Senate.

Senator Elthon moved that the vote by which House File 65 failed to pass the Senate be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

House File 67, a bill for an act to repeal section fifty hundred seventeen-a one (5017-a1), Code, 1931, and enacting a substitute

therefor, pertaining to a highway patrol and enforcement of provisions of same, was taken up and considered.

The bill was read for information.

Senators Calhoun and Schmidt offered the following amendment and moved its adoption:

Amend House File 67 by striking all after the enacting clause therein and substituting in lieu thereof the following:

"Section 1. Creation of department. There is hereby created a department of the state government which shall be known as the motor vehicle department, the executive head of which shall be a superintendent, whose salary shall be three thousand six hundred (3,600) dollars a year.

"Sec. 2. Initial appointment. The Governor, forthwith, after the passage of this act, shall appoint, with the approval of two-thirds ($\frac{2}{3}$) of the members of the Senate in executive session, a qualified elector of the state as superintendent of the motor vehicle department who shall serve until July 1, 1939.

"Sec. 3. Regular appointment. The Governor, within sixty (60) days following the organization of the regular session of the General Assembly in 1939, and every four (4) years thereafter, shall appoint, with the approval of two-thirds ($\frac{2}{3}$) of the members of the Senate in executive session, a qualified elector of the state as superintendent of the motor vehicle department who shall serve for four (4) years from and including July first of the year of appointment.

"Sec. 4. Vacancies. A vacancy in the office of superintendent of the motor vehicle department that may occur while the General Assembly is not in session shall be filled by appointment by the Governor, which appointment shall expire thirty (30) days from the time the General Assembly next convenes. Prior to the expiration of said thirty (30) days, the Governor shall transmit to the Senate for its confirmation an appointment for the unexpired portion of the regular term.

A vacancy occurring during a session of the General Assembly shall be filled as the regular appointment is made and before the end of said session and for the unexpired portion of the regular term.

"Sec. 5. Removal. The Governor, with the approval of the Senate, during a session of the General Assembly, may remove the superintendent of the motor vehicle department for malfeasance or nonfeasance in office, or for any cause that renders him ineligible to appointment or incapable or unfit to discharge the duties of his office, and his removal when so made shall be final.

Said superintendent shall also be removable as provided in chapter fifty-six (56), Code, 1931.

"Sec. 6. Political activity. Neither said superintendent nor any employee of his department shall, while he or she is so acting engage, directly or indirectly, in any partisan political activity or contribute any money or things of value to any political campaign fund of any political party or person.

"Sec. 7. Disqualification. The superintendent aforesaid shall not be

eligible to any lucrative office, elective or appointive, during his incumbency.

"Sec. 8. The term 'secretary of state' is hereby stricken from all statutes now appearing in chapter two hundred fifty-one (251), Code, 1931, and the term 'motor vehicle department' is inserted in lieu thereof, except that this section shall not apply to sections five thousand seventy-nine-d eleven (5079-d11), to five thousand seventy-nine-d twenty-four (5079-d24), inclusive.

"Sec. 9. Highway patrol. The superintendent of the motor vehicle department is empowered and directed to create in said department a division which shall be known as a state highway patrol. Said patrol shall be composed of not to exceed fifty (50) employees who shall, under the direction of the said superintendent, patrol the highways of the state, and assist said superintendent, and other law-enforcing officers, in the enforcement of the laws relative to motor vehicles and the operation thereof, and perform such other duties as may be imposed or granted by law.

"Sec. 10. Each member of the state highway patrol is hereby granted only such necessary police power as will enable him to properly enforce the provisions of chapter two hundred fifty-one (251), Code, 1931, as amended, and shall have the authority to arrest, without a warrant, any person committing, or attempting to commit, within his presence or view a breach of the peace and shall have the power to pursue and arrest without a warrant, a person suspected of violating the law. For the purposes of this act, the jurisdiction of the state highway patrol shall be statewide.

"Sec. 11. No person shall be selected as a member of said patrol unless he is at least twenty-one (21) years of age; of good moral character; shall have been a citizen of the United States for at least ten (10) years, and of the state of Iowa for at least five (5) years immediately prior to the date of his application and shall submit to and satisfactorily pass a uniform examination for physical and mental fitness.

"Sec. 12. Oath and bond. Each member of said patrol shall qualify and give bond as provided by law.

"Sec. 13. Nonpartisan selection. Political affiliation shall not be considered in selecting members of the state highway patrol.

"Sec. 14. After six months of service, a member of the state highway patrol shall not be discharged except for cause upon a hearing before the superintendent.

"Sec. 15. Compensation of members of the state highway patrol shall be fixed by the superintendent of the motor vehicle department with the approval of the state comptroller.

"Sec. 16. Expenses. Members of the said patrol shall, in addition to their salaries, be repaid all reasonable and necessary expense incurred by them in the discharge of their official duties.

"Sec. 17. Fees and rewards. All fees and rewards received by a member of said patrol and arising out of the discharge of his official duties shall belong to the state and be forthwith turned over to the treasurer of state.

"Sec. 18. Section forty-nine hundred sixty-d twenty-five (4960-d25), Code, 1931, as amended by section three (3) of chapter seventy-seven (77), acts of the Forty-fifth General Assembly, is amended by striking out the last sentence in said section, as so amended, and by inserting the following in lieu thereof, to wit:

'the balance of such license fees shall be forwarded to the treasurer of state who shall credit the amount thereof to a trust fund which shall be used exclusively for the payment of expenditures incurred by the division of state highway patrol.'

"Sec. 19. Section forty-nine hundred sixty-d twenty-six (4960-d26), Code, 1931, is amended by striking from line 2 the word 'twenty-five' and inserting in lieu thereof the following: 'fifty' and by striking from line 3 the word 'two' and by inserting in lieu thereof the word 'three.'

"Sec. 20. Chapter eighty-one (81), acts of the Forty-fifth General Assembly, is amended by striking from line 5 of section one (1) the word 'December' and by inserting in lieu thereof the word 'March.'

"Sec. 21. Upon the qualification of the superintendent as herein provided the secretary of state shall forthwith deliver to said superintendent all books, documents, records, papers, office furniture and equipment belonging to the state and heretofore employed in carrying on the motor vehicle department within said office of secretary of state.

"Sec. 22. Section ten hundred sixty-three (1063), Code, 1931, is amended by adding thereto the following separate paragraphs which the Code editor is directed to number appropriately in the Code of 1935, to wit:

'Superintendent of the motor vehicle department, ten thousand (10,000) dollars.

'Each member of the state highway patrol, five thousand (5,000) dollars.'

"Sec. 23. This act, being deemed of immediate importance, shall take effect and be in force from and after its passage and publication in the Keosauqua Republican, a newspaper published in Keosauqua, Iowa, and the Iowa City Press-Citizen, a newspaper published at Iowa City, Iowa."

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

Amend the pending amendment by Senators Calhoun and Schmidt to House File 67 as follows: Strike out sections one (1), two (2), three (3), four (4), five (5), six (6), seven (7), and eight (8), change section nine (9) to section one (1), and following the period after the word patrol in the first line strike out the words "the superintendent of the motor vehicle department" and insert in lieu thereof the following: "The secretary of state."

Further amend by renumbering the remaining sections to correspond with the above amendment.

Senator Stevens of Wapello was granted unanimous consent

that 600 copies of the appropriations committee amendments to Senate File 124 be printed in bill form.

The following concurrent resolution was filed:

SENATE CONCURRENT RESOLUTION 22

Whereas, In the year 1933, A. D., in order to meet the emergency then existing in the agricultural industry the United States Congress, by and with the approval of the President of the United States, adopted certain specific policies and set up administrative agencies to render them effective, and,

Whereas, The Farm Credit Administration, in order to carry out these policies and afford credit relief for the farmers of this nation, has issued upward of four billion (4,000,000,000) dollars of bonds and debentures, the interest and principal of which are guaranteed by the federal government and of which every individual taxpayer is a co-guarantor, and

Whereas, In order to promote price recovery and price stability for the products of agriculture and thus enable farmer-borrowers to repay the sums borrowed by them from the government and thereby protect the taxpayers of the nation, the Agricultural Adjustment Administration has faithfully carried out the policies laid down by Congress to adjust agricultural production to prospective consumptive demand, and

Whereas, In order to establish parity between the price levels of agricultural and industrial products and sustain the collective income of farmers at a point which will enable them to pay taxes, interest and debt obligations and maintain a decent standard of living pending the time when an effective readjustment of the cultivation program can be made to meet the exigencies of the agricultural situation, the Congress, in its wisdom, decreed there should be levied for this purpose certain processing taxes, the benefits of which should accrue to agriculture, and

Whereas, It is becoming increasingly manifest that the enemies of agriculture, the industrialists of the east who want cheap feed for their underpaid laborers, the selfish processors who seek the benefit of cheap raw materials for use in their factories and sectional interests which have not yet come into their full share of the benefits to be derived from this program have joined hands with the political demagogues of all parties, the purveyors of economic clap-trap, the ignorant, the vicious and malcontent elements of all classes, to break down the great recovery institutions set up by government and destroy the principles of sound agricultural economy, and

Whereas, If these destroying elements are permitted to have their way, American farmers will again be misled into engaging in a program of destructive competition which would undermine the now prevailing level of prices for farm commodities, thereby rendering it impossible for farmers to pay their debts, taxes, etc., and compelling the taxpayers to assume the burden involved in the government's guaranty of the interest and principle represented by bonds and debentures issued and sold by it through the Farm Credit Administration, therefore,

Be It Resolved by the Senate of the State of Iowa, the House of Representatives of the State of Iowa concurring: That the legislature of the state of Iowa respectfully petition the President of the United States and Congress to immediately take steps to strengthen the principles involved in the agricultural adjustment act and to correct such inequities as may exist in the act and to eliminate from other acts and laws, provisions, such as the George amendment to the public works bill, which are inimical to the spirit and purpose of the agricultural adjustment act to the end that the great agricultural industry may stand on its own merits and efforts, pay its own obligations and enable those engaged in it to achieve, retain and enjoy the standard of life to which the laws of nature and of nature's God entitle them.

WM. MCARTHUR.

C. E. MALONE.

M. X. GESKE.

FRANK M. STEVENS.

H. J. GRUNEWALD.

M. S. DRISCOLL.

H. D. MILLER.

PAUL ANDERSON.

ANDREW BELL.

I. G. CHRYSTAL.

ROY E. STEVENS.

CAROLYN C. PENDRAY.

VINCENT HARRINGTON.

LEO ELTHON.

HOMER HUSH.

REPORTS OF COMMITTEES

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

S. F. 257

S. F. 212

H. F. 311

S. F. 128

S. F. 178

H. L. IRWIN, *Chairman.*

Senator Stevens submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 139, a bill for an act authorizing the executive council to have an addition erected to the state historical building and making an appropriation therefor, begs leave to report it has had the same under consideration and recommends that the same be indefinitely postponed.

ROY E. STEVENS, *Chairman.*

The bill was referred to the sifting committee.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 124, a bill for an act to establish a general fund to the state of Iowa, etc., begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Senate File 124 by striking all after the enacting clause and substituting as follows:

"Section 1. That the amount derived from delinquent state taxes,

other than from the bonus levy, during the fiscal years beginning July 1, 1935, and July 1, 1936, and ending June 30, 1936, and June 30, 1937, respectively, and all revenue from other sources, which is available for appropriations for state purposes, and all other money in the state treasury which is not by law segregated, shall be established as a general fund, and so much thereof as may be necessary, shall be, and the same is hereby appropriated for the biennium beginning July 1, 1935, and ending June 30, 1937, in the following manner and for the following uses, to-wit:

DEPARTMENT OF AGRICULTURE

"Sec. 2. For the department of agriculture there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of three hundred twenty-nine thousand one hundred thirty-four (329,134) dollars or so much thereof as may be necessary to be used in the following manner:

AGRICULTURE DEPARTMENT

(See page 1 of Budget Report)

For salary of secretary of agriculture.....	\$ 5,000.00
For salaries, support, maintenance and miscellaneous purposes	122,500.00
	<hr/>
Total agricultural department.....	\$127,500.00

(1) ANIMAL HEALTH AND VETERINARY

(See page 2 of Budget Report)

For the control and eradication of contagious and infectious livestock diseases, T. B. inspectors, \$1,500.00 to \$2,000.00 annually, and necessary traveling expenses; assistant state veterinarians (per diem and expenses), indemnities and miscellaneous	\$143,700.00
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(2) IOWA BEEF PRODUCERS' ASSOCIATION

(See page 3 of Budget Report)

State aid	5,000.00
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(3) CORN AND SMALL GRAIN GROWERS' ASSOCIATION

(See page 3 of Budget Report)

State aid	2,500.00
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(4) DAIRY ASSOCIATION

(See page 3 of Budget Report)

State aid	5,000.00
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(To be expended in accordance with the provisions of chapter one hundred thirty-seven (137), Code of 1931)

(5) HORTICULTURAL SOCIETY

(See page 5 of Budget Report)

State aid 5,000.00

(6) POULTRY ASSOCIATIONS, SHORT COURSES,
COUNTY ACHIEVEMENT SHOWS

(See page 4 of Budget Report)

State aid 20,000.00

(7) BOARD OF VETERINARY EXAMINERS

(See page 2 of Budget Report)

Per diem and expenses of board members..... 400.00

(8) IOWA HORSE BREEDERS' ASSOCIATION

(See page 5 of Budget Report)

State aid 5,000.00

(9) WEATHER AND CROPS BUREAU

(See page 6 of Budget Report)

For salaries, support, maintenance and miscellaneous purposes 7,634.00

(10) STATE ENTOMOLOGIST

(See page 4 of Budget Report)

For salaries, support, maintenance and miscellaneous purposes 7,400.00

Grand total of all appropriations for all purposes for each year
of the biennium for the department of agriculture.....\$329,134.00

BOARD OF ASSESSMENT AND REVIEW

(See page 8 of Budget report)

"Sec. 3. For the board of assessment and review there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of sixty-four thousand and ninety-three (64,093) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries: (a)

Chairman\$ 3,850.00

Vice chairman 3,850.00

Member 3,850.00

For salaries, support, maintenance and miscellaneous pur-

poses: (b) 52,543.00

Grand total of all appropriations for all purposes for each

year of the biennium for the board of assessment and re-

view\$ 64,093.00

AUDITOR OF STATE
(See page 9 of Budget Report)

"Sec. 4. For the office of auditor of state there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of eighty-five thousand (85,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of auditor of state	\$ 4,500.00
For salaries and miscellaneous purposes	80,500.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of auditor of state	\$ 85,000.00
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COMMISSION FOR THE BLIND
(See page 11 of Budget Report)

"Sec. 5. For the commission for the blind there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of ten thousand (10,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of secretary	\$ 2,370.00
For salaries, support, maintenance and miscellaneous purposes	7,630.00

Grand total of all appropriations for all purposes for each year of the biennium for the commission for the blind.....	\$ 10,000.00
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STATE COMPTROLLER
(See page 12 of Budget Report)

"Sec. 6. For the department of the state comptroller there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of forty thousand three hundred sixty-four (40,364) dollars and eighty (80) cents or so much thereof as may be necessary, to be used in the following manner:

For salary of state comptroller	\$ 4,500.00
For salaries and miscellaneous purposes	35,864.80

Grand total of all appropriations for all purposes for each year of the biennium for the department of state comptroller	\$ 40,364.80
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BOARD OF CONSERVATION
(See page 14 of Budget Report)

"Sec. 7. For the board of conservation there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of one hundred twenty-five thousand (125,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For miscellaneous purposes:

For maintenance of state parks, purchase of land and general improvements, and for the construction, maintenance and improvement of roads and highways in said parks.....\$125,000.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of conservation.....\$125,000.00

BOARD OF CONTROL

(See page 14 of Budget Report)

"Sec. 8. For the board of control there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of sixty-six thousand nine hundred thirty-one (66,931) dollars and ninety-six (96) cents or so much thereof as may be necessary, to be used in the following manner:

GENERAL OFFICE AND CHILD WELFARE DIVISION

For salaries of members of the board (3-at \$3,600).....\$ 10,800.00
For salaries, support, maintenance and miscellaneous purposes 56,131.96

Grand total of all appropriations for all purposes for each year of the biennium for the board of control.....\$ 66,931.96

CUSTODIAN

(See page 15 of Budget Report)

"Sec. 9. For the department of the custodian there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of seventy-five thousand eight hundred ten (75,810) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of custodian\$ 2,000.00
For salaries, support and maintenance and miscellaneous purposes 73,810.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the custodian...\$ 75,810.00

JUDGES OF THE DISTRICT COURT

(See page 16 of Budget Report)

"Sec. 10. For the department of the district court judges there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of three hundred seventy-two thousand five hundred (372,500) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries of judges of the district court of Iowa (70 judges)\$350,000.00

For miscellaneous purposes:

Traveling expenses of judges and court reporters in and out of districts	22,500.00
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Grand total of all appropriations for all purposes for each year of the biennium for the department of district court judges	\$372,500.00
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BOARD OF EDUCATION

(See page 16 of Budget Report)

"Sec. 11. For the department of the board of education there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of fifty-four thousand two hundred twelve (54,212) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries:

Chairman, finance committee.....	\$ 2,750.00,
Member, finance committee.....	2,750.00
Secretary, finance committee.....	3,100.00
For salaries, support, maintenance and miscellaneous purposes	45,612.00
Board members to receive a per diem of \$10.00 per day and shall not exceed \$600.00 per year per member.	

Grand total of all appropriations for all purposes for each year of the biennium for the board of education.....	\$54,212.00
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EXECUTIVE COUNCIL

(See page 17 of Budget Report)

"Sec. 12. For the department of the executive council there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of two hundred forty thousand (240,000) dollars or so much thereof as may be necessary, to be used in the following manner:

GENERAL OFFICE

For salaries, support, maintenance and miscellaneous purposes	\$240,000.00
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STATE FAIR BOARD

(See page 19 of Budget Report)

"Sec. 13. For the department of the state fair board there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of sixty thousand (60,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For maintenance and operating expense of fair.....	\$50,000.00
For premiums	10,000.00

Grand total of all appropriations for all purposes for each year of the biennium for the state fair board.....	\$60,000.00
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AGRICULTURAL SOCIETIES

(See page 20 of Budget Report)

"Sec. 14. For the agricultural societies there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of one hundred five thousand (105,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For miscellaneous purposes:

State aid to county fairs.....\$105,000.00

The foregoing appropriation for state aid to county fairs shall be deemed conditioned on full compliance with all other statutes which regulate and prescribe the conditions under which such aid is payable.

FIRE MARSHAL

(See page 20 of Budget Report)

"Sec. 15. For the department of the state fire marshal there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of seventeen thousand (17,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of state fire marshal.....\$ 2,628.00

For support, maintenance, salaries and miscellaneous purposes 14,372.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the state fire marshal\$17,000.00

GEOLOGICAL SURVEY

(See page 21 of Budget Report)

"Sec. 16. For the department of the geological survey there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of ten thousand (10,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes\$ 10,000.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the geological survey\$ 10,000.00

GOVERNOR

(See page 21 of Budget Report)

"Sec. 17. For the department of the Governor there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of twenty thousand four hundred six (20,406) dollars or so much thereof as may be necessary, to be used in the following manner:

For the salary of Governor of the state of Iowa.....\$ 7,500.00

For salaries, support and miscellaneous purposes..... 12,906.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the Governor....\$ 20,406.00

GRAND ARMY OF THE REPUBLIC

(See page 22 of Budget Report)

"Sec. 18. For the department of the grand army of the republic there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of seven hundred fifty (750) dollars or so much thereof as may be necessary, to be used in the following manner:

Headquarters expenses	\$	750.00
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Grand total of all appropriations for all purposes for each year of the biennium for the department of the grand army of the republic	\$	750.00
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DEPARTMENT OF HEALTH

(See page 22 of Budget Report)

"Sec. 19. For the department of health there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of seventy-six thousand eight hundred eighty (76,880) dollars or so much thereof as may be necessary, to be used in the following manner:

General Office

For salary of commissioner of the department of health.....	\$	4,500.00
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For salaries, support, maintenance and miscellaneous purposes	\$	40,660.00
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Total general office	\$	45,160.00
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Maternity and Child Hygiene

For salaries, support, maintenance and miscellaneous purposes		8,500.00
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Inspector—Department of Health

For salaries, support, maintenance and miscellaneous purposes		3,940.00
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Sanitary Engineering and Housing Division

For salaries, support, maintenance and miscellaneous purposes		19,280.00
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Grand total of all appropriations for all purposes for each year of the biennium for the department of health.....	\$	76,880.00
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(1) Board of Barbers Examiners

For the board of barbers examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of fifteen thousand five hundred twenty (15,520) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes	\$	15,520.00
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Grand total of all appropriations for all purposes for each year of the biennium for the board of barbers examiners....\$ 15,520.00

(2) Board of Chiropractic Examiners

For the board of chiropractic examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of sixteen hundred eighty (1680) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes\$1,680.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of chiropractic examiners\$1,680.00

(3) Board of Cosmetology Examiners

For the board of cosmetology examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of twelve thousand five hundred forty (12,540) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes\$12,540.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of cosmetology examiners\$12,540.00

(4) Board of Dental Examiners

For the board of dental examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of two thousand four hundred (2,400) dollars or so much thereof as may be necessary, to be used in the following manner:

For per diem: (a)

Board members\$1,800.00

Other expenses: (b)

Traveling 600.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of dental examiners.....\$2,400.00

(5) Board of Embalmers Examiners

For the board of embalmers examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of nine hundred seventy (970) dollars or so much thereof as may be necessary, to be used in the following manner:

For per diem: (a)

Board members\$470.00

Other expenses: (b)

Traveling 500.00

Grand total of all appropriations for all purposes for each year
of the biennium for the board of embalmers examiners.....\$970.00

(6) Board of Medical Examiners

For the board of medical examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of one thousand (1,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For per diem: (a)

Board members\$ 650.00

Other expenses: (b)

Traveling 350.00

Grand total of all appropriations for all purposes for each
year of the biennium for the board of medical examiners.....\$1,000.00

(7) Board of Nurses Examiners

For the board of nurses examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of seven thousand (7,000) dollars or so much thereof as may be necessary, to be used in the following manner:

Per diem: (a)

Board members\$2,000.00

Other expenses: (b)

For salaries, support, and miscellaneous purposes.....\$5,000.00

Grand total of all appropriations for all purposes for each year
of the biennium for the board of nurses examiners.....\$7,000.00

(8) Board of Optometry Examiners

For the board of optometry examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of six hundred (600) dollars or so much thereof as may be necessary, to be used in the following manner:

For per diem: (a)

Board members\$400.00

Other expenses: (b)

Traveling\$200.00

Grand total of all appropriations for all purposes for each year
of the biennium for the board of optometry examiners.....\$600.00

(9) Board of Osteopathic Examiners

For the board of osteopathic examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of one thousand five hundred sixty (1,560) dollars or so much thereof as may be necessary, to be used in the following manner:

For per diem: (a)

Board members\$ 280.00

Other expenses: (b)

Traveling	200.00
Secretary	1,080.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of osteopathic examiners.....\$1,560.00

(10) Board of Podiatry Examiners

For the board of podiatry examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of three hundred ninety-five (395) dollars or so much thereof as may be necessary, to be used in the following manner:

For per diem: (a)

Board members	\$ 320.00
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Other expenses: (b)

Traveling	75.00
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Grand total of all appropriations for all purposes for each year of the biennium for the board of podiatry examiners..\$ 395.00

(11) Board of Pharmacy Examiners

(See page 39 of Budget Report)

For the board of pharmacy examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of fourteen thousand four hundred (14,400) dollars, or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes	\$ 14,400.00
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HISTORICAL DEPARTMENT

(See page 28 of Budget Report)

"Sec. 20. For the historical department there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of twenty-nine thousand three hundred (29,300) dollars, or so much thereof as may be necessary, to be used in the following manner:

For salary of curator, historical department.....	\$ 2,400.00
For miscellaneous, salaries, support and maintenance of the following divisions: general, archives, library, museum, annals of Iowa, Iowa in war and newspaper.....	26,900.00

Grand total of all appropriations for all purposes for each year of the biennium for the historical department.....\$ 29,300.00

HISTORICAL SOCIETY

(See page 29 of Budget Report)

"Sec. 21. For the historical society there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of thirty thousand (30,000) dollars, or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes	\$ 30,000.00
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Grand total of all appropriations for all purposes for each year of the biennium for the historical society.....	\$ 30,000.00
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INDUSTRIAL COMMISSION

(See page 30 of Budget Report)

"Sec. 22. For the department of the industrial commission there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of twenty-five thousand nine hundred (25,900) dollars, or so much thereof as may be necessary, to be used in the following manner:

For salary of the industrial commissioner.....	\$ 3,000.00
For salaries, support, maintenance, compensation and miscellaneous purposes	22,900.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the industrial commission	\$ 25,900.00
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DEPARTMENT OF INSURANCE

(See page 31 of Budget Report)

"Sec. 23. For the department of insurance there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of forty-four thousand one hundred twenty-five (44,125) dollars, or so much thereof as may be necessary, to be used in the following manner:

For salary of the commissioner of insurance.....	\$ 4,000.00
For salaries, support, maintenance and miscellaneous purposes	40,125.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of insurance.....	\$ 44,125.00
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DEPARTMENT OF JUSTICE

(See page 32 of Budget Report)

"Sec. 24. For the department of justice there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of ninety thousand (90,000) dollars, or so much thereof as may be necessary, to be used in the following manner:

For salary of the attorney general.....	\$ 5,000.00
For salaries, support, maintenance and miscellaneous purposes	85,000.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of justice.....	\$ 90,000.00
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BUREAU OF LABOR

(See page 33 of Budget Report)

"Sec. 25. For the department of the bureau of labor there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of eighteen thousand two hundred forty (18,240) dollars, or so much thereof as may be necessary, to be used in the following manner:

For salary of the commissioner of labor.....	\$ 3,000.00
For salaries, support, maintenance and miscellaneous purposes	15,240.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the bureau of labor	\$ 18,240.00
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LIBRARY COMMISSION

(See page 33 of Budget Report)

"Sec. 26. For the department of the library commission there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of nineteen thousand five hundred (19,500) dollars, or so much thereof as may be necessary, to be used in the following manner:

For salary of the secretary.....	\$ 2,112.00
For salaries, support, maintenance and miscellaneous purposes	17,388.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the library commission	\$ 19,500.00
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State Library

(See page 34 of Budget Report)

"Sec. 27. For the department of the state library there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of forty-one thousand nine hundred sixteen (41,916) dollars, or so much thereof as may be necessary, to be used in the following manner:

General Division

For salary of state librarian.....	\$ 2,400.00
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Law Division

For salary of law librarian.....	2,400.00
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Medical Division

For salary of medical librarian	2,000.00
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Economics and Sociology Division

For salary of librarian	1,500.00
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For salaries, support, maintenance and miscellaneous pur-	
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poses for all divisions to be expended under the super- vision of the state librarian	33,616.00
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Grand total of all appropriations for all purposes for each year of the biennium for the department of the state library	\$ 41,916.00
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Board of Mine Examiners
(See page 35 of Budget Report)

"Sec. 28. For the department of the board of mine examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of fifteen hundred (1,500) dollars or so much thereof as may be necessary, to be used in the following manner:

Per diem and expenses.....	\$1,500.00
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Grand total of all appropriations for all purposes for each year of the biennium for the department of the board of mine ex- aminers	\$1,500.00
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Mine Inspectors
(See page 36 of Budget Report)

"Sec. 29. For the department of mine inspectors there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of fifteen thousand (15,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and miscellaneous pur- poses provided that \$4,000.00 be allocated to the Iowa coal institute	\$15,000.00
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Grand total of all appropriations for all purposes for each year of the biennium for the department of mine inspectors.....	\$15,000.00
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The National Guard
(See page 36 of Budget Report)

"Sec. 30. For the department of the national guard there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of two hundred six thousand nine hundred (206,900) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries of adjutant general.....	\$ 3,000.00
For salaries, support, maintenance and miscellaneous pur- poses	203,900.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the national guard	\$206,900.00
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Board of Parole

(See page 39. of Budget Report)

"Sec. 31. For the department of the board of parole there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of thirty-two thousand nine hundred forty-five (32,945) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries of board members, 2 @ \$2,790.00 each.....	\$ 5,580.00
For salary of legal members, 1@ \$3,000.....	3,000.00
For salaries, support, maintenance and miscellaneous pur- poses	19,330.00
Inspector, half time.....	900.00
State agents	655.00
Psychiatrist, 1/3	1,000.00
Psychiatrist, asst. full time.....	1,200.00
Psychiatrist, secy. ½ time	480.00
Psychiatrist, traveling exp.....	800.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the board of parole

\$32,945.00

State Printing Board

(See page 41 of Budget Report)

"Sec. 32. For the department of the state printing board there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of fifteen thousand three hundred thirty (15,330) dollars or so much thereof as may be necessary to be used in the following manner:

General Office

For salary of superintendent of printing.....	\$ 3,120.00
For salaries, support, maintenance and miscellaneous pur- poses	12,210.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the state printing board office

\$15,330.00

State Printing Board

(See page 41 of Budget Report)

"Sec. 33. For the department of the state printing board there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of one hundred thirty thousand three hundred fifty (130,350) dollars or so much thereof as may be necessary, to be used in the following manner:

State Purposes

For the necessary printing and binding authorized by law for the General Assembly and for all state departments that have not been provided for in departmental appropriations\$130,350.00

This section is not to be construed or interpreted to include the expense of any printing for any of the following departments, bureaus, boards, or associations: State teachers' association, animal health and veterinary division of agricultural department for elimination of bovine tuberculosis, Iowa beef producers' association, Iowa corn and small grain growers' association, farmers' institutes, Iowa state dairy association, Iowa state poultry breeders' association, short courses, board of conservation, state entomologist, state fair board, agricultural societies, Iowa department of the grand army of the republic, horse breeders' associations, state library and all divisions thereof, psychopathic hospital, indigent hospital, state highway commission, receivership division of the banking department, board of engineering examiners, fish and game department, motor vehicle department, motor vehicle fuel tax division, institutions under the board of control, institutions under the board of education, and the state board of vocational education, board of educational examiners, industrial survey, motor carrier department, truck operator department, and any and every agency, activity and undertaking that has a fund for general support. Providing that funds appropriated by this section, in the discretion of the printing board, may be used in supplying paper stock, multigraph or mimeograph work for any of the foregoing departments, bureaus, associations and institutions, any sum so used for supplying multigraph or mimeograph work to be refunded to the printing board and returned to the credit of the appropriation made for printing board general office expense; any sum so used for supplying paper stock to be refunded to the printing board and returned to the credit of the appropriation made by this section. These payments shall be made to the printing board in the same manner as other claims against such departments are paid, and the printing board shall remit the proceeds to the comptroller of state on the first secular day of each calendar month, taking the comptroller's receipt therefor, showing the same properly credited to the respective appropriations.

SUPERINTENDENT OF PUBLIC INSTRUCTION

(See page 41 of Budget Report)

"Sec. 34. For the department of the superintendent of public instruction there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of thirty-eight thousand nine hundred thirty-four (38,934) dollars or so much thereof as may be necessary, to be used in the following manner:

General Office

For salary of superintendent of public instruction.....	\$ 4,000.00
For salaries, support, maintenance and miscellaneous purposes	34,934.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the superintendent of public instruction, office\$ 38,934.00

SUPERINTENDENT OF PUBLIC INSTRUCTION

(See page 42 of Budget Report)

"Sec. 35. For the department of the superintendent of public instruction there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of three hundred ninety-one thousand four hundred fifty (391,450) dollars or so much thereof as may be necessary, to be used in the following manner:

State Aid to Public Schools

For state aid to public schools:

Normal training schools.....	\$100,000.00
Consolidated	125,000.00
Standard schools (for use of rural schools only).....	90,000.00
Normal institutes	4,450.00
Mining camp schools	45,000.00
Mining camp schools emergencies	27,000.00

The superintendent of public instruction shall apportion the appropriations for state aid to schools in mining camp districts and certify to the state comptroller the amounts so allotted to these school corporations. Whereupon the state comptroller shall draw a warrant on the treasurer of state payable to each school corporation for the amount certified by the superintendent of public instruction and forward the same to the secretary of the school corporation.

Grand total of all appropriations for all purposes for each year of the biennium for the department of the superintendent of public instruction for state aid to public schools\$391,450.00

RELIEF

"Sec. 36. For relief there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of five hundred sixty (560) dollars or so much thereof as may be necessary, to be used in the following manner:

For relief purposes:

Relief of Frederick M. Hull	\$ 360.00
Relief of Marjorie Ball	200.00

Grand total of all appropriations for all purposes for each year of the biennium for relief\$ 560.00

BOARD OF RAILROAD COMMISSIONERS

(See page 42 of Budget Report)

"Sec. 37. For the department of the board of railroad commissioners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of sixty thousand (60,-

000) dollars or so much thereof as may be necessary, to be used in the following manner:

Railroad Commission Office

For salaries of commissioners (3 at \$3,600 each).....	\$ 10,800.00
For salaries, support, maintenance and miscellaneous purposes	49,200.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the railroad commission	\$ 60,000.00
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Secretary of State

(See page 44 of Budget Report)

"Sec. 38. For the department of secretary of state there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of forty-eight thousand two hundred (48,200) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of secretary of state	\$ 4,500.00
For salaries, support, maintenance and miscellaneous purposes for all divisions	43,700.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the secretary of state	\$ 48,200.00
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CLERK OF THE SUPREME COURT

(See page 45 of Budget Report)

"Sec. 39. For the department of the clerk of the supreme court there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of nine thousand five hundred sixty-two (9,562) dollars and forty (40) cents or so much thereof as may be necessary, to be used in the following manner:

For salary of clerk of the supreme court	\$ 3,600.00
For salaries, support, maintenance and miscellaneous purposes	5,962.40

Grand total of all appropriations for all purposes for each year of the biennium for the department of the clerk of the supreme court	\$ 9,562.40
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SUPREME COURT

(See page 45 of Budget Report)

"Sec. 40. For the department of supreme court there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of eighty-three thousand four hundred (83,400) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries of judges (9 at \$7,500 each).....	\$ 67,500.00
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For salaries, support, maintenance and miscellaneous purposes	15,900.00
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Grand total of all appropriations for all purposes for each year of the biennium for the department of the supreme court	\$ 83,400.00
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REPORTER OF THE SUPREME COURT AND CODE EDITOR
(See page 46 of Budget Report)

"Sec. 41. For the department of the reporter of the supreme court and code editor there is hereby appropriated for each year of the biennium beginning July 11, 1935, and ending June 30, 1937, the sum of eleven thousand six hundred seventy-six (11,676) dollars and forty (40) cents or so much thereof as may be necessary, to be used in the following manner:

For salary of reporter of the supreme court and Code editor..\$	3,850.00
For salaries, support, maintenance and miscellaneous purposes	7,826.40

Grand total of all appropriations except as provided by section one hundred seventy-seven (177) of the Code for all purposes for each year of the biennium for the department of the reporter of the supreme court and Code editor.....\$	11,676.40
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TREASURER OF STATE,
(See page 46 of Budget Report)

"Sec. 42. For the department of treasurer of state there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of eighty-one thousand (81,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of treasurer of state	\$ 4,500.00
For salaries, support, maintenance and miscellaneous purposes for all divisions	76,500.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the treasurer of state	\$ 81,000.00
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BOARD OF VOCATIONAL EDUCATION
(See page 48 of Budget Report)

"Sec. 43. For the department of vocational education there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of thirty-five thousand forty (35,040) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of director of the vocational education division and civilian rehabilitation division	\$ 3,000.00
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For salaries, support, maintenance and miscellaneous purposes	32,040.00
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Grand total of all appropriations for all purposes for each year of the biennium for the department of the board of vocational education	\$ 35,040.00
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BOARD OF CONTROL OF STATE INSTITUTIONS

(See pages 58-70 of Budget Report)

"Sec. 44. For the board of control of state institutions, for the support, maintenance, operation, additions and betterments, of all state institutions under control of the said board, namely:

State hospital and colony for epileptics and feeble-minded, Woodward.
Institution for feeble-minded children, Glenwood.

State hospital for insane, Cherokee.

State hospital for insane, Clarinda.

State hospital for insane, Independence.

State hospital for insane, Mount Pleasant.

State juvenile home, Toledo.

Penitentiary, Fort Madison.

Men's reformatory, Anamosa.

Women's reformatory, Rockwell City.

State sanatorium, Oakdale.

Iowa soldiers' home, Marshalltown.

Iowa soldiers' orphans' home, Davenport.

Training school for boys, Eldora.

Training school for girls, Mitchellville.

There is hereby appropriated the sum of three million seven hundred eighty thousand seven hundred seventy-seven (3,780,777) dollars or so much thereof as may be necessary for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, to be used at the respective institutions in the following manner and for the following purposes:

State Hospital and Colony for Epileptics and Feeble-minded, Woodward

(1) For the state hospital and colony for epileptics and feeble-minded there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of two hundred fifty thousand five hundred twenty-two (250,522) dollars and thirty (30) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....	\$250,522.30
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Institution for Feeble-minded Children, Glenwood

(2) For the institution for feeble-minded children there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of three hundred twenty-seven thousand four hundred eighty-three (327,483) dollars and fifty (50) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support and maintenance.....	\$327,483.50
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State Hospital for Insane, Cherokee

(3) For the state hospital for the insane, Cherokee, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of three hundred forty-eight thousand four hundred sixty-one (348,461) dollars and ten (10) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$348,461.10

State Hospital for Insane, Clarinda

(4) For the state hospital for the insane, Clarinda, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of two hundred ninety three thousand three hundred seventeen (293,317) dollars and ten (10) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$293,317.10

State Hospital for Insane, Independence

(5) For the state hospital for the insane, Independence, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of three hundred twenty-nine thousand eight hundred seventy-seven (329,877) dollars and ninety (90) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$329,877.90

State Hospital for Insane, Mt. Pleasant

(6) For the state hospital for the insane, Mt. Pleasant, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of three hundred nineteen thousand one hundred thirty-nine (319,139) dollars and eighty (80) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$319,139.80

State Juvenile Home, Toledo

(7) For the state juvenile home, Toledo, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of one hundred nineteen thousand sixty-nine (119,069) dollars and thirty (30) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$119,069.30

Penitentiary, Fort Madison

(8) For the state penitentiary, Fort Madison, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of four hundred sixty-nine thousand one hundred fifty (469,150) dollars and fifty (50) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$469,150.50

Provided, however, that in the appropriation herein made the board of control shall so allocate said appropriation that every employee of the penitentiary at Fort Madison shall have one (1) day vacation out of every consecutive seven (7) days.

Men's Reformatory, Anamosa

(9) For the men's reformatory, Anamosa, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of three hundred seventy-five thousand four hundred fifty (375,450) dollars and ninety (90) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$375,450.90

Provided, however, that in the appropriation herein made the board of control shall so allocate said appropriation that every employee of the men's reformatory at Anamosa shall have one (1) days vacation out of every consecutive seven (7) days.

Women's Reformatory, Rockwell City

(10) For the women's reformatory, Rockwell City, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of fifty-six thousand six hundred ten (56,610) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$56,610.00

State Sanatorium, Oakdale

(11) For the state sanatorium, Oakdale, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of two hundred nineteen thousand four hundred ninety-four (219,494) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$219,494.00

For Soldiers' Home, Marshalltown

(12) For the Iowa soldiers' home, Marshalltown, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of two hundred five thousand five hundred ninety-five (205,595) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$205,595.00

Iowa Soldiers' Orphans' Home, Davenport

(13) For the Iowa soldiers' orphans home, Davenport, there is hereby appropriated for each year of the biennium beginning July 1, 1935 and ending June 30, 1937, the sum of one hundred eighty-eight thousand fifty-nine (188,059) dollars and ninety (90) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$188,059.90

Training School for Boys, Eldora

(14) For the training school for boys, Eldora, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of one hundred seventy-seven thousand five hundred eighty-four (177,584) dollars and eighty (80) cents, or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$177,584.80

Training School for Girls, Mitchellville

(15) For the training school for girls, Mitchellville, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of seventy-six thousand nine hundred sixty (76,960) dollars and ninety (90) cents, or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$ 76,960.90

Emergency Fund

(16) For the emergency purposes, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of fourteen thousand (14,000) dollars, or so much thereof as may be necessary, to be used in the following manner:

For emergencies and unforeseen expenses at any or all institutions under the control of said boards.....\$ 14,000.00

Additional Emergency Fund

(17) For the board of control institutions there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of two hundred thousand (200,000) dollars, or so much thereof as may be necessary, to meet any emergency or contingency that may arise at any of the institutions under the board, but no expenditures shall be made from this fund without the approval of the Governor and the state comptroller first obtained.

Road Fund

(18) For road purposes there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of ten thousand (10,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For construction, maintenance and repairs of roads at institutions under the control of said board.....\$ 10,000.00

Grand total of all appropriations for all purposes for each year of the biennium for all institutions under the board of control\$3,780,777.00

STATE BOARD OF EDUCATION

(See pages 71-92 of Budget Report)

"Sec. 45. For the state board of education, for the administration, maintenance, operation, additions and betterments of the state university of Iowa, at Iowa City; the Iowa state college of agriculture and mechanic arts, at Ames; the Iowa state teachers' college, at Cedar Falls; the Iowa school for the deaf, at Council Bluffs; the Iowa school for the blind, at Vinton; the university hospital, at Iowa City, the psychopathic hospital, at Iowa City; and the bacteriological laboratory, at Iowa City; and for soldiers' tuition:

There is hereby appropriated the sum of six million six hundred eighty-one thousand two hundred twenty-six (6,681,226) dollars, or so much

thereof as may be necessary, for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, to be used in the following manner and for the following purposes, to wit:

State University of Iowa

(1) For the state university of Iowa, at Iowa City, for each year of said biennium, the sum of two million three hundred fifty thousand (2,350,000) dollars or so much thereof as may be necessary, for salaries other than the president, support, maintenance, equipment and general improvements.

(a) There is hereby appropriated for the salary of the president of the state university of Iowa for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, a sum not to exceed ten thousand (10,000) dollars.

Iowa State College of Agriculture and Mechanic Arts

(2) For the Iowa state college of agriculture and mechanic arts at Ames, Iowa, for each year of said biennium, the sum of two million three hundred thirty-one thousand (2,331,000) dollars or so much thereof as may be necessary, for salaries, other than the president, support, maintenance, equipment and general improvements.

(a) There is hereby appropriated for the salary of the president of the Iowa state college of agriculture and mechanic arts for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, a sum not to exceed nine thousand (9,000) dollars.

Iowa State Teachers' College

(3) For the Iowa state teachers' college, at Cedar Falls, for each year of said biennium, the sum of six hundred thirty-three thousand (633,000) dollars or so much thereof as may be necessary, for salaries other than the president, support, maintenance, equipment and general improvements.

(a) There is hereby appropriated for the salary of the president of the Iowa state teachers' college for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, a sum not to exceed seven thousand (7,000) dollars.

Iowa School for the Deaf

(4) For the Iowa school for the deaf, at Council Bluffs, for each year of said biennium, the sum of two hundred seventeen thousand (217,000) dollars or so much thereof as may be necessary, to be expended as follows:

For salaries, support and maintenance.....\$217,000.00

Iowa School for the Blind

(5) For the Iowa school for the blind at Vinton, for each year of said biennium the sum of one hundred eight thousand (108,000) dollars or so much thereof as may be necessary, to be expended as follows:

For salaries, support, maintenance, general improvements
and betterments\$108,000.00

Medical and Surgical Treatment of Indigent Persons,
University Hospital

(6) For the purpose of carrying out the provisions of chapter one hundred ninety-nine (199), Code of 1931, for each year of said biennium, the sum of nine hundred thousand (900,000) dollars or so much thereof as may be necessary, to be expended in the manner and under the authority provided in said chapter.

Psychopathic Hospital

(7) For the psychopathic hospital at Iowa City, for each year of said biennium the sum of one hundred thousand (100,000) dollars or so much thereof as may be necessary, to be used in the manner and under the authority provided in chapter one hundred ninety-seven (197), Code of 1931; provided, however, that said amount shall be available in monthly installments, not exceeding eight thousand three hundred thirty-three (8,333) dollars and that said installments shall be expended only upon the submission of bills in the manner provided in section three thousand nine hundred eighty-four (3,984) of said chapter.

Bacteriological Laboratory

(8) For the bacteriological laboratory, at Iowa City, for each year of said biennium, the sum of twelve thousand two hundred twenty-six (12,226) dollars or so much thereof as may be necessary, to be used in the manner and under the authority provided in chapter one hundred ninety-six (196), Code of 1931.

Soldiers' Tuition

(9) The sum of four thousand (4,000) dollars or so much thereof as may be necessary, for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, for the payment of tuition for honorably discharged soldiers or sailors of the world war of the United States who are citizens of the state of Iowa, who enroll in any division of the state university, at Iowa City, or the college of agriculture and mechanic arts at Ames, said payment being fixed at twenty (20) dollars for each such student for each semester and each summer school.

Grand total of all appropriations for all purposes for each
year of the biennium, for all institutions under the

board of education\$6,681,226.00

GENERAL CONTINGENT FUND

"Sec. 46. For the purpose of establishing a general contingent fund for the state, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of twenty thousand (20,000) dollars or so much thereof as may be necessary, to be administered by the executive council for contingencies arising during the biennium, which are legally payable from the general fund of the state; provided, however, that no part of said fund shall be available to the state board of education or the board of control of state institutions.

INSURANCE DEPARTMENT

"Sec. 47. The insurance commissioner is hereby authorized to employ not to exceed eighteen (18) insurance examiners, of which examiners the commissioner may designate two (2) examiners in charge at per diem not to exceed seventeen (17) dollars and fifty (50) cents each, and expenses as herein provided, all other examiners at per diem not exceeding fifteen (15) dollars each, and their actual and necessary expenses while engaged in the performance of their duties, said per diem and expenses to be paid from funds in the state treasury upon presentation of proper vouchers and warrants; provided, however, that the state treasurer shall be reimbursed in the manner and under the authority provided in sections eight thousand six hundred thirty-two (8,632) and eight thousand six hundred thirty-three (8,633), Code of 1931.

COUNTY AND MUNICIPAL EXAMINERS

"Sec. 48. The auditor of state is hereby authorized to employ county, municipal, and school examiners and assistants at a per diem not exceeding seven (7) dollars each, and their actual and necessary expenses while engaged in the performance of their duties, to be paid in the manner provided in sections one hundred twenty-five (125) and one hundred twenty-six (126), Code of 1931.

PIONEER LAW MAKERS

"Sec. 49. For the pioneer law makers there is hereby appropriated the sum of seventy-five (75) dollars or so much thereof as may be necessary for each year of the biennium beginning July 1, 1931, and ending June 30, 1937.

PRESIDENTIAL ELECTORS

"Sec. 50. For the presidential electors there is hereby appropriated the sum of one hundred fifty (150) dollars or so much thereof as may be necessary for each year of the biennium beginning July 1, 1935, and ending June 30, 1937.

BOARD OF ENGINEERING EXAMINERS

"Sec. 51. The board of engineering examiners is hereby authorized to pay its secretary a salary of six hundred (600) dollars per year and to pay a clerk three hundred (300) dollars per year, to be paid out of funds belonging to the board of engineering examiners.

GENERAL PROVISIONS

"Sec. 52. The governing board of any state department, institution, or agency, of, if there be no governing board, the head of any department, institution or agency, in the interest of economy and efficiency, may, with the written consent and approval of the governor and state comptroller, first obtained, at any time during the biennium, partially or wholly use

its unexpended appropriations for purposes properly within the scope of such department, institution or agency.

"Sec. 53. No state department, institution, or agency receiving appropriations under the provisions of this act shall expend funds or approve claims in excess of its appropriations, except as otherwise provided in this act. If the expenditures of any state department, institution, or agency, shall in any other manner exceed the amounts of its appropriation, the members of the governing board of any such state department, institution or agency who shall have voted for such excessive expenditures, or, if there be no governing board, the head of any such state department, institution, or agency making excessive expenditure or approving excessive claims shall be personally liable for the full amount of the unauthorized deficit thus created.

When the appropriation of any department, institution or agency is insufficient to properly meet the legitimate expense of such department, institution or agency of the state, the state comptroller, with the approval of the governor, is authorized to transfer from any other department, institution or agency of the state having an appropriation in excess of its necessity, sufficient funds to meet that deficiency.

"Sec. 54. No obligation of any kind, whatsoever, shall be incurred or created subsequent to June 30, 1937, against any appropriation made by this act, unless otherwise specifically provided by law, and, on June 30, 1937, it shall be the duty of the head of each department, board or commission, receiving appropriations under the provisions of this act, to file with the state comptroller a list of all expenditures for which warrants have not been drawn.

"Sec. 55. Except where otherwise specifically provided by law, all appropriations made by this act, remaining unexpended or unobligated, at the close of business on December 31, 1937, shall revert to and become a part of the general fund in the state treasury.

"Sec. 56. All salaries provided for by this act are in lieu of all existing statutory salaries, for the positions provided herein, and shall be payable in equal monthly or semi-monthly installments, and shall be in full compensation for all services except as otherwise expressly provided.

Employees of the state are granted one (1) week's vacation after one (1) year's steady employment and two (2) weeks' vacation after two (2) or more years' employment, with pay. Leave of absence of thirty (30) days is granted to employees on account of sickness or injury, accumulative for three consecutive years, with pay at the discretion of the heads of departments.

"Sec. 57. Employees of the state shall be under the control of the head of the department and the compensation paid shall be subject to approval of the governor and state comptroller. Any employee may be assigned to such duties as the department head shall direct and subject to dismissal by him.

"Sec. 58. For the office of state comptroller there is hereby set aside from the collection of taxes on motor vehicle fuel, the sum of two thousand five hundred (2,500) dollars or as much thereof as may be necessary annually, for use in employing sufficient help in writing motor vehicle fuel tax refund warrants.

"Sec. 59. For the office of the industrial commissioner there is hereby set aside from the primary road fund the sum of fifteen thousand (15,000) dollars or so much thereof as may be necessary annually, for use in paying all claims of employees of the state highway commission who are injured or killed while on duty, as provided for in chapter seventy (70) of the Code.

"Sec. 60. For the office of the attorney general there is hereby set aside from the primary road fund the sum of fifteen thousand (15,000) dollars or so much thereof as may be necessary annually, for the purpose of covering all costs of litigation arising from or pertaining to primary roads.

"Sec. 61. Where any provisions of the laws of this state are in conflict with this act the provisions of this act shall govern for the biennium.

"Sec. 62. All appropriations made by this act are to be recorded and accounted for as is the procedure for the appropriations for the present biennium.

"Sec. 63. For the commission on uniform laws there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of six hundred (600) dollars or so much thereof as may be necessary to be used in the following manner:

For miscellaneous purposes\$600.00"

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend section forty-five (45) of Senate File 124 by inserting after line 89 thereof the following sub-section:

"(10). World war orphan's educational aid.

"The sum of two thousand five hundred (2,500) dollars for the use and benefit of children, not under sixteen (16), and not over twenty-one (21) years of age; in amount not exceeding one hundred fifty (150) dollars for any one child, for any one year, who shall have lived in the state of Iowa two (2) years preceding application for aid hereunder, and who are children of men or women who died during the world war between the dates of April 6, 1917, and July 22, 1921, while serving in the army, navy, or marine corps of the United States, as a result of such service; to defray the expenses of tuition, matriculation, laboratory and similar fees, books, and supplies, for such child or children—not including clothing—for attendance at any educational or training institution of college grade, located within the state of Iowa.

Eligibility for aid hereunder shall be determined upon application thereto by the Iowa bonus board, and the eligibility of all eligible applicants shall be certified by the adjutant general of Iowa, to the comptroller of Iowa, and all amounts that may be, or may become due to any individual, or any educational or training institution under this appropriation shall be paid to the individual or institution by the said comptroller upon receipt by him of certification by the president or governing board of such educational or training institution as to the accuracy of

charges made, and attendance of the individual at such educational or training institution.

CLAUDE STANLEY.

Amend House File 311 by adding the following at the end of section three (3):

"(d) Persons, firms or corporations whose principal business is that of storing, distributing or selling petroleum products."

FRED W. NELSON.

GARRITT E. ROELOFS.

Amend House File 311 as follows:

Amend House File 311, section four (4), line 2, by inserting after the word "every" the word "non-resident."

L. T. SHANGLE.

Amend House File 311 as follows:

Amend section three (3), subsection "c", by inserting between lines 12 and 13 the following: "food processed and sold for consumption on the premises."

L. T. SHANGLE.

Amend House File 311 as follows:

Amend section three (3) by adding at end subsection "e" as follows: "e. Hotels."

L. T. SHANGLE.

Amend Senate File 254 as follows:

(1) Amend paragraph (c) of subsection eleven (11), section two (2) by striking the first three (3) lines and substituting in lieu thereof the following:

"Grain other than the property of the operator when received into a grain elevator warehouse."

(2) Further amend by striking section three (3) and substituting in lieu thereof the following:

"Sec. 3. License required. Any warehouseman in this state, before receiving agricultural products into grain elevators for storage, must first procure a bonded warehouse license from the board of railroad commissioners or be licensed and bonded under the provisions of a United States warehouse act, except as permitted under the provisions of this act relating to temporary permits. Any grain elevator, not so licensed and not operated under such permit, shall not receive grain for storage and shall not store grain, other than that which is the property of the warehouseman for a time exceeding ten (10) days from the day of receipt of the first consignment of any given lot, except that grain offered for sale to an unlicensed grain elevator operator at the prevailing market price may be received and held for such reasonable time as is necessary for the operator to determine sufficiency of title in the seller, before making payment therefor, but he shall not store grain for purchase at a price left for future determination, commonly known as deferred payment contract."

(3) Further amend by inserting after the word "elevators" in line 23 of section five (5) the following:

"and auxiliaries thereto."

FRED W. NELSON.

Senator Baldwin moved that the Senate adjourn until 10:00 a. m. Friday.

As a substitute, Senator Stanley moved that the Senate recess until 7:30 p. m.

The chair ruled that a motion to recess could not be substituted for a motion to adjourn.

Senator Knudson moved to amend the Baldwin motion to read "9:00 a. m.". The motion to amend prevailed.

Roll call was requested.

The question was, Shall the motion as amended prevail?

On the question, Shall the motion as amended prevail? the vote was:

Ayes, 25:

Anderson	Byers	Grunewald	Meyer
Aschenbrenner	Dewey	Harrington	Parker
Baldwin	Doze	Hopkins	Pendray
Beardsley	Driscoll	Irwin	Schmidt
Bell of Crawford	Fisch	Kimberly	Shaw
Bell of Des Moines	Geske	Knudson	Wilson
	Goetsch		

Nays, 19:

Berg	Husted	Mullaney	Stevens of
Billingsley	Mason	Nelson	Decatur
Calhoun	McArthur	Reese	Stevens of
Corwin	Millhone	Shangle	Wapello
Donohue	Moore	Stanley	Valentine
Elthon			

Absent or not voting, 6:

Chrystal	Malone	Patterson	Roelofs
Hush	Miller		

The motion as amended prevailed and the Senate adjourned until 9:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 19, 1935.

The Senate met in regular session, President pro tempore Harold L. Irwin presiding.

Prayer was offered by Rev. Clarence Moore, pastor of the M. E. church at New Virginia.

The Journal of April 18, 1935, was approved.

INTRODUCTION OF BILLS

Senate File 392, by committee on judiciary No. 1, a bill for an act to amend section fifty-three hundred two (5302), chapter two hundred sixty-seven (267), Code, 1931, to provide that the county old age assistance boards or the state old age assistance commission may apply to the district court for an order to compel legally responsible relatives to support indigent and elderly persons.

The bill was read first and second times and referred to the sifting committee.

Senate File 393, by committee on judiciary No. 2, a bill for an act to legalize the action of the county auditor and county board of supervisors of Audubon county, Iowa, in making expenditures and issuing warrants in 1934 against the secondary road maintenance fund of said county; to make said warrants the legal, valid, and binding obligations of said county, and to authorize the county treasurer of said county to pay said warrants out of any funds coming into his hands in 1935 and belonging to the secondary road maintenance fund of said county.

The bill was read first and second times and referred to the sifting committee.

Senate File 394, by committee on federal coordination, a bill for an act to amend sections ninety-two hundred sixty-two c-one (9262-c1), ninety-one hundred eighty-nine (9189), ninety-two hundred seventeen (9217) and ninety-three hundred one (9301)

of the Code, 1931, all relating to the declaration and payment of dividends by a bank or trust company until it first has established a required surplus.

The bill was read first and second times and referred to the sifting committee.

Senate File 395, by committee on federal coordination, a bill for an act to authorize any state bank, trust company, bank and trust company, banking association or stock savings bank now or hereafter organized under the laws of this state or the conservator, receiver or liquidator thereof, to enter into such contracts, incur such obligations and generally to do such acts as may be appropriate or necessary to take advantage of any and all memberships, loans, subscriptions, contracts, grants, rights or privileges which may, at any time, be available or inure to said banking institutions or their depositors or stockholders, or their conservators, liquidators, or receivers, by virtue of any act or resolution of the Congress of the United States to aid, regulate or safeguard banking institutions and depositors, including the act creating the federal deposit insurance corporation; to empower any such banking institution to subscribe to and acquire any stock or debentures or bonds or other types of securities of said corporation; to authorize a sale of all or any part of the assets of such institutions to the federal deposit insurance corporation, and to authorize receivers and liquidators and the superintendent of banking to borrow money from the federal deposit insurance corporation and to pledge the assets of any of such institutions as security for any such loan; to provide for the subrogation of said corporation to the rights against said closed institutions of all insured depositors, whose deposits have been paid, or for the payment of which funds have been made available; to recognize the right of said corporation to make examinations of and to require reports from such institution, and the exchange of examination reports made by said corporation of any such institutions with the reports of examinations made by the state banking department of any such institutions; to provide for disclosure by said superintendent of banking to said corporation of the condition and affairs of such insured institution and access to information regarding the same.

The bill was read first and second times and referred to the sifting committee.

Senate File 396, by committee on federal coordination, a bill for an act to amend chapter one hundred nineteen (119) of the laws of the Forty-fifth General Assembly, Extraordinary Session, and authorizing the preferred stock issued as provided for therein, to be included in determining whether state banks, savings banks and trust companies have complied with minimum capital requirements.

The bill was read first and second times and referred to the sifting committee.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had signed Senate Files 107 and 378 on April 18, 1935.

HOUSE CONCURRENT RESOLUTION 12 ADOPTED

Senator Beardsley called up for consideration House Concurrent Resolution 12, as found on page 915 of the Senate Journal.

On motion of Senator Beardsley, House Concurrent Resolution 12 was adopted.

THIRD READING OF BILLS

The proper time having arrived, Senate File 124, a bill for an act to establish the general fund for the state of Iowa, for the biennium beginning July 1, 1935, and ending June 30, 1937, and to appropriate therefrom for all departments and various divisions thereof, of the state of Iowa, for all purposes provided by law, for the said biennium, was taken up and considered.

Senator Stevens of Wapello moved that in the consideration of Senate File 124 the Senate be in session from 9:00 a. m. to 12:00 noon, from 1:30 p. m. to 5:00 p. m., and from 7:00 p. m. to 9:00 p. m., until the disposition of Senate File 124.

The motion prevailed.

Senator Stevens of Wapello moved that in the consideration of Senate File 124 the bill be taken up section by section.

Senator Harrington moved that the Senate resolve itself into a committee of the whole.

Senator Harrington was granted unanimous consent to withdraw his motion.

The motion by Senator Stevens of Wapello prevailed.

The bill was read for information.

The report of the committee recommending amendment and passage was adopted.

The committee amendment, as found page 1071 of the Senate Journal, was read for information.

Senator Nelson offered the following amendment and moved its adoption:

Amend the committee amendment to Senate File 124 by striking the figures "\$2,000.00" from line 15 of section two (2) and insert in lieu thereof the figures "\$2,400.00."

The motion prevailed and the amendment to the amendment was adopted.

CALL OF THE SENATE FILED

We, the undersigned, desire a call of the Senate for the consideration of Senate File 124.

ORA E. HUSTED.

GEO. M. HOPKINS.

E. P. CORWIN.

CLAUDE STANLEY.

A. J. SHAW.

LEO ELTHON.

WM. MCARTHUR.

CAROLYN C. PENDRAY.

H. D. MILLER.

T. W. MULLANEY.

SAM D. GOETSCH.

L. H. MEYER.

D. W. KIMBERLY.

A. CLAIRE DEWEY.

A call for the Senate having been filed, a roll call revealed the absence of Senators Anderson, Bell of Crawford, Donohue and Roelofs.

On motion of Senator Elthon the absent Senators were temporarily excused.

CONSIDERATION OF SENATE FILE 124 CONTINUED

Senator Elthon offered the following amendment and moved its adoption:

Amend the committee amendment to Senate File 124 by striking from section two (2), line 8, the figures "5,000.00" and insert in lieu thereof the figures "4,500.00."

Further amend by striking from section two (2), line 10, the figures "122,500.00" and insert in lieu thereof the figures "116,215.00."

Further amend by striking from section two (2), line 11, the figures "127,500.00" and insert in lieu thereof the figures "121,215.00."

Senator McArthur requested a division of the amendment.

Senator Elthon moved that Senators Anderson, Bell of Crawford, Donohue and Roelofs be excused from voting on the pending Elthon amendments.

The chair called for a division of the vote and announced that the motion prevailed.

The question was, Shall the first paragraph of the Elthon amendment be adopted?

Roll call was requested.

On the question, Shall the first paragraph of the Elthon amendment be adopted? the vote was:

Ayes, 23:

Aschenbrenner	Driscoll	Malone	Reese
Billingsley	Elthon	Mason	Shangle
Calhoun	Fisch	Meyer	Shaw
Chrystal	Goetsch	Miller	Stanley
Dewey	Hopkins	Mullaney	Stevens of
Doze	Hush	Pendray	Wapello

Nays, 23:

Baldwin	Geske	Knudson	Patterson
Beardsley	Grunewald	McArthur	Schmidt
Bell of	Harrington	Millhone	Stevens of
Des Moines	Husted	Moore	Decatur
Berg	Irwin	Nelson	Valentine
Byers	Kimberly	Parker	Wilson
Corwin			

Absent or not voting, 4:

Anderson	Bell of Crawford	Donohue	Roelofs
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Rule 8 was invoked.

The motion to amend was lost.

The question was, Shall the remaining portion of the Elthon amendment be adopted?

Roll call was requested.

On the question, Shall the remaining portion of the Elthon amendment be adopted? the vote was:

Ayes, 24:

Aschenbrenner	Doze	Malone	Reese
Bell of	Driscoll	Mason	Shangle
Des Moines	Elthon	Meyer	Shaw
Billingsley	Fisch	Miller	Stanley
Calhoun	Goetsch	Mullaney	Stevens of
Chrystal	Hopkins	Pendray	Wapello
Dewey	Hush		

Nays, 22:

Baldwin	Grunewald	McArthur	Schmidt
Beardsley	Harrington	Millhone	Stevens of
Berg	Husted	Moore	Decatur
Byers	Irwin	Nelson	Valentine
Corwin	Kimberly	Parker	Wilson
Geske	Knudson	Patterson	

Absent or not voting, 4:

Anderson	Bell of Crawford	Donohue	Roelofs
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Rule 8 was invoked.

The motion prevailed and the amendment to the committee amendment was adopted.

Senator Stevens of Wapello was granted unanimous consent to excuse the absentees from voting on Senate File 124 until such time as the Senate might insist upon their presence.

By unanimous consent granted Senator Byers, Senator Bell of Crawford was excused from the call of the Senate until noon.

Senator Nelson offered the following amendment and moved its adoption:

Amend the committee amendment to Senate File 124 in section two (2) by striking from line 37 the figures "\$7,634.00" and insert in lieu thereof the figures "\$8,300.00."

Roll call was requested.

The question was, Shall the amendment to the committee amendment be adopted?

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

Ayes, 16:

Baldwin	Grunewald	McArthur	Patterson
Berg	Harrington	Millhone	Schmidt
Byers	Kimberly	Nelson	Valentine
Geske	Knudson	Parker	Wilson

Nays, 30:

Aschenbrenner	Doze	Irwin	Reese
Beardsley	Driscoll	Malone	Shangle
Bell of	Elthon	Mason	Shaw
Des Moines	Fisch	Meyer	Stanley
Billingsley	Goetsch	Miller	Stevens of
Calhoun	Hopkins	Moore	Decatur
Chrystal	Hush	Mullaney	Stevens of
Corwin	Husted	Pendray	Wapello
Dewey			

Absent or not voting, 4:

Anderson	Bell of Crawford	Donohue	Roelofs
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Rule 8 was invoked.

The motion to amend was lost.

Senator Elthon offered the following amendment and moved its adoption:

Amend the committee amendment to Senate File 124 by striking in line 17 of section two (2), the figures "\$143,700.00" and insert in lieu thereof the figures "\$137,500.00."

The motion prevailed and the amendment to the committee amendment was adopted.

Senator Shangle offered the following amendment and moved its adoption:

Amend the pending committee amendment to Senate File 124 by striking all of line 19, section two (2).

Roll call was requested.

The question was, Shall the amendment to the committee amendment be adopted?

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

Ayes, 12:

Aschenbrenner	Doze	Malone	Shangle
Billingsley	Driscoll	Mason	Shaw
Dewey	Elthon	Mullaney	Stanley

Nays, 27:

Baldwin	Fisch	Kimberly	Parker
Beardsley	Geske	Knudson	Patterson
Bell of	Grunewald	McArthur	Pendray
Des Moines	Harrington	Meyer	Roelofs
Berg	Hopkins	Millhone	Schmidt
Chrystal	Hush	Moore	Valentine
Corwin	Husted	Nelson	Wilson

Absent or not voting, 11:

Anderson	Donohue	Miller	Stevens of
Bell of Crawford	Goetsch	Reese	Wapello
Byers	Irwin	Stevens of	
Calhoun		Decatur	

The motion to amend was lost.

Senators Anderson and Roelofs appeared in the Senate Chamber.

Senator Shangle offered the following amendment and moved its adoption:

Amend the committee amendment to Senate File 124, section two (2), by striking all of line 21 thereof.

Senator Valentine moved the previous question, which motion prevailed.

The question was, Shall the amendment to the committee amendment be adopted?

Roll call was requested.

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

Ayes, 13:

Anderson	Doze	Mason	Stanley
Aschenbrenner	Driscoll	Mullaney	Stevens of
Billingsley	Elthon	Shangle	Wapello
Dewey	Goetsch		

Nays, 32:

Baldwin	Geske	McArthur	Pendray
Beardsley	Grunewald	Meyer	Reese
Bell of	Harrington	Miller	Roelofs
Des Moines	Hopkins	Millhone	Schmidt
Berg	Hush	Moore	Stevens of
Byers	Husted	Nelson	Decatur
Chrystal	Kimberly	Parker	Valentine
Corwin	Knudson	Patterson	Wilson
Fisch	Malone		

Absent or not voting, 5:

Bell of	Crawford	Donohue	Irwin	Shaw
Calhoun				

The motion to amend was lost.

Senator Shangle offered the following amendment and moved its adoption:

Amend the pending committee amendment to Senate File 124 as follows:

1. In line 27, section two (2), strike the figures "\$5,000.00" and insert in lieu thereof the figures "\$4,000.00."
2. Strike all of line 30, section two (2).
3. Strike all of line 34, section two (2).

Senator Baldwin moved the previous question, which motion prevailed.

A division of the amendment was requested.

The question was, Shall the first portion of the amendment to the committee amendment be adopted?

Roll call was requested.

On the question, Shall the first portion of the amendment to the committee amendment be adopted? the vote was:

Ayes, 19:

Anderson	Driscoll	Miller	Stanley
Aschenbrenner	Elthon	Mullaney	Stevens of
Billingsley	Fisch	Pendray	Decatur
Calhoun	Goetsch	Shangle	Stevens of
Dewey	Mason	Shaw	Wapello
Doze			

Nays, 29:

Baldwin	Geske	Knudson	Parker
Beardsley	Grunewald	Malone	Patterson
Bell of Des Moines	Harrington	McArthur	Reese
Berg	Hopkins	Meyer	Roelofs
Byers	Hush	Millhone	Schmidt
Chrystal	Husted	Moore	Valentine
Corwin	Irwin	Nelson	Wilson
	Kimberly		

Absent or not voting, 2:

Bell of Crawford Donohue

Rule 8 was invoked.

The motion to amend was lost.

The question was, Shall the second portion of the amendment to the committee amendment be adopted?

Roll call was requested.

On the question, Shall the second portion of the amendment to the committee amendment be adopted? the vote was:

Ayes, 17:

Anderson	Dewey	Malone	Shaw
Aschenbrenner	Doze	Mason	Stanley
Bell of Des Moines	Driscoll	Miller	Stevens of Wapello
Billingsley	Elthon	Mullaney	
	Goetsch	Shangle	

Nays, 29:

Baldwin	Geske	Meyer	Reese
Beardsley	Grunewald	Millhone	Roelofs
Berg	Hopkins	Moore	Schmidt
Byers	Husted	Nelson	Stevens of Decatur
Calhoun	Irwin	Parker	Valentine
Chrystal	Kimberly	Patterson	Wilson
Corwin	Knudson	Pendray	
Fisch	McArthur		

Absent or not voting, 4:

Bell of Crawford Donohue Harrington Hush

The motion to amend was lost.

The question was, Shall the third portion of the amendment to the committee amendment be adopted?

Roll call was requested.

On the question, Shall the third portion of the amendment to the committee amendment be adopted? the vote was:

Ayes, 19:

Anderson	Doze	Mason	Shangle
Aschenbrenner	Driscoll	Miller	Shaw
Bell of Des Moines	Elthon	Mullaney	Stanley
Billingsley	Fisch	Pendray	Stevens of
Dewey	Goetsch	Roelofs	Wapello

Nays, 27:

Baldwin	Grunewald	Malone	Patterson
Berg	Hopkins	McArthur	Reese
Byers	Hush	Meyer	Schmidt
Calhoun	Husted	Millhone	Stevens of
Chrystal	Irwin	Moore	Decatur
Corwin	Kimberly	Nelson	Valentine
Geske	Knudson	Parker	Wilson

Absent or not voting, 4:

Beardsley	Bell of Crawford	Donohue	Harrington
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The motion to amend was lost.

Senator Pendray offered the following amendment and moved its adoption:

Amend committee amendment to Senate File 124 in section two (2), line 30, by changing the figures "\$20,000.00" to "\$10,000.00."

Roll call was requested.

The question was, Shall the amendment to the committee amendment be adopted?

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

Ayes, 20:

Anderson	Doze	Miller	Stanley
Aschenbrenner	Driscoll	Mullaney	Stevens of
Bell of Des Moines	Elthon	Pendray	Decatur
Billingsley	Goetsch	Reese	Stevens of
Dewey	Mason	Shangle	Wapello
	Meyer	Shaw	

Nays, 29:

Baldwin	Fisch	Irwin	Nelson
Beardsley	Geske	Kimberly	Parker
Berg	Grunewald	Knudson	Patterson
Byers	Harrington	Malone	Roelofs
Calhoun	Hopkins	McArthur	Schmidt
Chrystal	Hush	Millhone	Valentine
Corwin	Husted	Moore	Wilson
Donohue			

Absent or not voting, 1:

Bell of Crawford

Rule 8 was invoked.

The motion to amend was lost.

Senator Elthon offered the following amendment and moved its adoption :

Amend the committee amendment to Senate File 124 as amended by striking in line 30 of section two (2) the figures "\$20,000.00" and inserting in lieu thereof the figures "\$17,500.00."

The motion prevailed and the amendment to the committee amendment was adopted.

On motion of Senator Stevens of Wapello, sections one (1) and two (2) of the committee amendment to Senate File 124, as amended, were adopted.

Senators Baldwin and Harrington offered the following amendment and moved its adoption :

Amend the committee substitute for Senate File 124 by changing the figures "\$3,850.00" as they appear in lines 8, 9, and 10, of section three (3), to "\$4,500.00."

Roll call was requested.

The question was, Shall the amendment to the committee amendment be adopted ?

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

Ayes, 17:

Baldwin	Corwin	Knudson	Parker
Bell of Crawford	Geske	McArthur	Patterson
Bell of Des Moines	Harrington	Moore	Schmidt
Byers	Irwin	Nelson	Wilson
	Kimberly		

Nays, 30:

Anderson	Doze	Husted	Reese
Aschenbrenner	Driscoll	Malone	Roelofs
Beardsley	Elthon	Mason	Shangle
Berg	Fisch	Meyer	Shaw
Billingsley	Goetsch	Miller	Stanley
Calhoun	Grunewald	Millhone	Stevens of Wapello
Chrystal	Hopkins	Mullaney	
Dewey	Hush	Pendray	

Absent or not voting, 3:

Donohue	Stevens of Decatur	Valentine
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The motion to amend was lost.

Senator Valentine offered the following amendment and moved its adoption :

Amend the committee amendment to Senate File 124 in section three (3), lines 8, 9, and 10 by striking the figures "\$3,850.00" and inserting in lieu thereof "\$4,000.00."

Roll call was requested.

The question was, Shall the amendment to the committee amendment be adopted?

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

Ayes, 27:

Baldwin	Geske	Millhone	Schmidt
Bell of Crawford	Grunewald	Moore	Stevens of
Bell of	Harrington	Nelson	Decatur
Des Moines	Irwin	Parker	Stevens of
Byers	Kimberly	Pendray	Wapello
Chrystal	Knudson	Reese	Valentine
Corwin	McArthur	Roelofs	Wilson
Donohue	Meyer		

Nays, 21:

Anderson	Dewey	Hopkins	Miller
Aschenbrenner	Doze	Hush	Mullaney
Beardsley	Driscoll	Husted	Shangle
Berg	Elthon	Malone	Shaw
Billingsley	Goetsch	Mason	Stanley
Calhoun			

Absent or not voting, 2:

Fisch	Patterson
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The motion prevailed and the amendment to the committee amendment was adopted.

The chair ruled that after the adoption of the committee amendments, amendments thereto would still be in order.

On motion of Senator Hush, section three (3) of the committee amendment to Senate File 124, as amended, was adopted.

By unanimous consent granted Senator Shangle, it was ordered that the words and figures in lines 3 and 4, section four (4):

“ninety-five thousand nine hundred (95,900)” be stricken and to substitute in lieu thereof the words and figures:

“eighty-five thousand. (85,000).”

Senator Valentine offered the following amendment and moved its adoption:

Amend the committee amendment to section four (4), line 6, by striking the figures “4,500” and substituting in lieu thereof “5,000.”

Roll call was requested.

The question was, Shall the amendment to the committee amendment be adopted?

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

Ayes, 29:

Anderson	Bell of	Byers	Driscoll
Baldwin	Des Moines	Corwin	Fisch
Bell of Crawford	Berg	Donohue	Geske

Harrington	McArthur	Parker	Stevens of
Hopkins	Meyer	Patterson	Decatur
Irwin	Millhone	Reese	Valentine
Kimberly	Moore	Roelofs	Wilson
Knudson	Nelson	Schmidt	

Nays, 21:

Aschenbrenner	Doze	Malone	Shangle
Beardsley	Elthon	Mason	Shaw
Billingsley	Goetsch	Miller	Stanley
Calhoun	Grunewald	Mullaney	Stevens of
Chrystal	Hush	Pendray	Wapello
Dewey	Husted		

Absent or not voting, none.

Rule 8 was invoked.

The motion prevailed and the amendment to the committee amendment was adopted.

On motion of Senator Valentine, section four (4) of the committee amendment to Senate File 124, as amended, was adopted.

On motion of Senator Stevens of Wapello, section five (5) of the committee amendment to Senate File 124 was adopted.

Senator Stevens of Wapello moved that section six (6) of the committee amendments be adopted, which motion prevailed.

By unanimous consent granted Senator Stevens of Wapello, it was ordered that the following words and figures, "ninety thousand (90,000)," in lines 3 and 4, of section seven (7) be stricken, and the following inserted in lieu thereof: "one hundred twenty-five thousand (125,000)."

On motion of Senator Stevens of Wapello, section seven (7) of the committee amendment to Senate File 124, as amended, was adopted.

Senator Reese offered the following amendment and moved its adoption:

Amend the committee amendment in section eight (8), line 9, by striking the figures "\$3,600.00" and the figures "\$10,800.00" and inserting in lieu thereof the figures "\$3,850.00" and the figures "\$11,550.00."

The motion prevailed and the amendment to the committee amendment was adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 122, 250, and Senate Files 207 and 329.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files 122, 250, and Senate Files 207 and 329.

BILLS SENT TO THE GOVERNOR

Senator Calhoun, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully report they have on this 19th day of April, 1935, sent to the Governor for his approval Senate Files 207 and 329. JOHN N. CALHOUN, *Chairman.*

Passed on file.

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

AFTERNOON SESSION

Having recessed until 1:30 p. m., the Senate reconvened, President pro tempore Harold L. Irwin presiding.

HOUSE AMENDMENTS CONSIDERED

Senator Wilson was granted unanimous consent to call up for consideration Senate File 76, amended by the House, and moved that the Senate concur in the following amendments:

HOUSE AMENDMENTS TO SENATE FILE 76

Amend section one (1) as follows:

1. Subsection four (4), lines 2 and 3, by striking the words and figures "fifty (50) cents per test and not more than one (1) dollar per annum," and inserting in lieu "twenty-five (25) cents per test and not more than fifty (50) cents per year, provided, however, this provision shall not apply to cities having a population of one hundred thousand (100,000) or more,".

2. Subsection four (4), by adding thereto the following: "Any surplus remaining in said fund at the end of the fiscal year over and above

the actual cost of operating the testing station, shall be paid into the general fund of the city or town."

3. Subsection eight (8), line 41, by striking the word "whether" and inserting in lieu "when"; also strike from said line 41 the words "or non-residents or" and insert in lieu "of."

Senator Wilson offered the following amendment and moved its adoption:

Amend the House amendment to Senate File 76 by striking from line 6, subdivision one (1) thereof, the words "this provision" and insert in lieu thereof the following: "the limitation as to the amount of fees as herein provided."

The motion prevailed and the amendment to the House amendment was adopted.

The question was, Shall the Senate concur?

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

Ayes, 38:

Aschenbrenner	Fisch	Knudson	Roelofs
Baldwin	Geske	Malone	Schmidt
Berg	Goetsch	McArthur	Shangle
Calhoun	Grunewald	Meyer	Shaw
Chrystal	Harrington	Millhone	Stanley
Corwin	Hopkins	Moore	Stevens of
Dewey	Hush	Mullaney	Decatur
Donohue	Husted	Parker	Stevens of
Doze	Irwin	Patterson	Wapello
Elthon	Kimberly	Pendray	Wilson

Nays, none.

Absent or not voting, 12:

Anderson	Bell of	Byers	Miller
Beardsley	Des Moines	Driscoll	Nelson
Bell of Crawford	Billingsley	Mason	Reese
			Valentine

The House amendments, as amended, having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Wilson moved that the bill be given its final reading and the bill as amended be placed on its passage, which motion prevailed and the bill as amended was read.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 44:

Aschenbrenner	Berg	Dewey	Goetsch
Baldwin	Billingsley	Donohue	Grunewald
Beardsley	Byers	Doze	Harrington
Bell of Crawford	Calhoun	Elthon	Hopkins
Bell of	Chrystal	Fisch	Hush
Des Moines	Corwin	Geske	Husted

Irwin	Miller	Pendray	Stevens of
Kimberly	Millhone	Roelofs	Decatur
Knudson	Moore	Schmidt	Stevens of
Malone	Mullaney	Shangle	Wapello
McArthur	Parker	Shaw	Wilson
Meyer	Patterson	Stanley	

Nays, none.

Absent or not voting, 6:

Anderson	Mason	Reese
Driscoll	Nelson	Valentine

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

SENATE FILE 76 MESSAGED TO HOUSE

By unanimous consent granted Senator Wilson, it was ordered that the rules be suspended and Senate File 76 be messaged to the House immediately.

THIRD READING OF BILLS

By unanimous consent granted Senator Calhoun, Senate File 372, a bill for an act to make an appropriation to the judges of the district court of the state of Iowa, was taken up and considered.

The bill was read for information.

Senator Calhoun offered the following amendment and moved its adoption:

Amend Senate File 372, section two (2), by inserting therein the names of the following newspapers: "Keosauqua Republican", a newspaper published at "Keosauqua", and "Lockridge Times", a newspaper published at "Lockridge."

The motion prevailed and the amendment was adopted.

Senator Calhoun moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 41:

Aschenbrenner	Byers	Doze	Harrington
Baldwin	Calhoun	Elthon	Hopkins
Bell of	Chrystal	Fisch	Hush
Des Moines	Corwin	Geske	Husted
Berg	Dewey	Goetsch	Irwin
Billingsley	Donohue	Grunewald	Kimberly

Knudson	Millhone	Pendray	Stevens of
Malone	Moore	Roelofs	Decatur
McArthur	Mullaney	Shangle	Valentine
Meyer	Parker	Shaw	Wilson
Miller	Patterson	Stanley	

Nays, none.

Absent or not voting, 9:

Anderson	Driscoll	Reese	Stevens of
Beardsley	Mason	Schmidt	Wapello
Bell of Crawford	Nelson		

The bill, as amended, having received a two-thirds majority was declared to have passed the Senate and the title was agreed to.

SENATE FILE 372 MESSAGED TO HOUSE

By unanimous consent granted Senator Calhoun, it was ordered that the rules be suspended and Senate File 372 be messaged to the House immediately.

THIRD READING OF BILLS

By unanimous consent granted Senator Elthon, the rules were suspended and House File 287 was withdrawn from the sifting committee for consideration.

House File 287, a bill for an act to legalize the corporate acts of the directors and officers of the Farmers Elevator Company, Northwood, Iowa, and to restore the corporate status of such company, was taken up and considered.

The bill was read for information.

Senator Elthon moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 44:

Aschenbrenner	Driscoll	Malone	Roelofs
Baldwin	Elthon	McArthur	Schmidt
Beardsley	Geske	Meyer	Shangle
Bell of Crawford	Goetsch	Miller	Shaw
Bell of	Grunewald	Millhone	Stanley
Des Moines	Harrington	Moore	Stevens of
Berg	Hopkins	Mullaney	Decatur
Calhoun	Hush	Nelson	Stevens of
Chrystal	Husted	Parker	Wapello
Corwin	Irwin	Patterson	Valentine
Dewey	Kimberly	Pendray	Wilson
Donohue	Knudson	Reese	

Nays, none.

Absent or not voting, 6:

Anderson	Byers	Fisch
Billingsley	Doze	Mason

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

HOUSE AMENDMENTS CONSIDERED

Senator McArthur was granted unanimous consent to call up for consideration Senate File 159, amended by the House, and moved that the Senate concur in the following amendments:

HOUSE AMENDMENTS TO SENATE FILE 159

1. Amend section one (1) by striking the period at the end thereof and adding the following: "and is an amendment to Title X, Code, 1931."
2. Amend section twenty-six (26), line 10, by striking the word "the" and inserting the word "Knowingly."
3. Amend the title by inserting after the word "act" in line 1 the following: "to amend Title X, Code, 1931;".

The question was, Shall the Senate concur?

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

Ayes, 43:

Aschenbrenner	Donohue	Malone	Reese
Baldwin	Doze	Mason	Roelofs
Beardsley	Driscoll	McArthur	Schmidt
Bell of Crawford	Fisch	Meyer	Shangle
Bell of	Geske	Miller	Shaw
Des Moines	Goetsch	Millhone	Stanley
Berg	Grunewald	Moore	Stevens of
Byers	Harrington	Mullaney	Decatur
Calhoun	Hopkins	Nelson	Valentine
Chrystal	Irwin	Parker	Wilson
Corwin	Kimberly	Pendray	
Dewey	Knudson		

Nays, none.

Absent or not voting, 7:

Anderson	Elthon	Husted	Stevens of
Billingsley	Hush	Patterson	Wapello

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

Senator McArthur moved that the bill as amended be given its final reading and placed on its passage, which motion prevailed, and the bill as amended was read.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 45:

Aschenbrenner	Donohue	Kimberly	Pendray
Baldwin	Doze	Knudson	Roelofs
Beardsley	Driscoll	Malone	Schmidt
Bell of Crawford	Elthon	Mason	Shangle
Bell of	Fisch	McArthur	Shaw
Des Moines	Geske	Meyer	Stanley
Berg	Goetsch	Miller	Stevens of
Billingsley	Grunewald	Millhone	Decatur
Calhoun	Harrington	Moore	Stevens of
Chrystal	Hopkins	Mullaney	Wapello
Corwin	Hush	Nelson	Valentine
Dewey	Irwin	Parker	Wilson

Nays, none.

Absent or not voting, 5:

Anderson	Byers	Husted	Patterson
			Reese

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

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has refused to consider the conference report on the following bill:

Senate File 115, a bill for an act relating to the consolidation of certain commissions and boards and to provide for the administration thereof, and a second conference committee is requested. The Speaker has appointed the following second conference committee on the part of the House: Freeburn of Scott, Maniece of Emmet, Johnson of Hancock and McFarlane of Black Hawk.

VIRGIL LEKIN, *Chief Clerk*.

PRESENTATION TO MR. AND MRS. JOHN F. BAKER

The chief doorkeeper of the Senate announced the presence of Mr. and Mrs. John F. Baker in the Senate Chamber and escorted them before the bar of the Senate.

President pro tempore Harold L. Irwin presented them with two baskets of flowers with the following remarks:

"Mr. and Mrs. Baker, on behalf of the Senate it is my privilege and pleasure to present these flowers to you and to wish you a very pleasant married life."

CONSIDERATION OF SENATE FILE 124 CONTINUED

Roll call revealed all members of the Senate were present, excepting Senator Anderson.

On motion of Senator Valentine, Senator Anderson was temporarily excused from the call of the Senate, or until such time as the Senate might insist upon his presence.

Senator Husted moved that debate on all amendments to Senate File 124 be limited to three minutes.

As a substitute motion, Senator Baldwin moved that debate on all amendments to Senate File 124 be limited to two minutes.

By unanimous consent, Senator Husted withdrew his motion.

As a substitute for the Baldwin motion, Senator Elthon moved that debate on all amendments to Senate File 124 be limited to ten minutes.

Senator Stanley moved the previous question, which motion prevailed.

The motion to substitute was lost.

Roll call was requested.

The question was, Shall the Baldwin motion prevail?

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

Ayes, 24:

Baldwin	Grunewald	Knudson	Roelofs
Bell of Crawford	Harrington	McArthur	Schmidt
Bell of	Hopkins	Millhone	Stevens of
Des Moines	Hush	Moore	Decatur
Eyers	Husted	Nelson	Valentine
Donohue	Irwin	Parker	
Geske	Kimberly	Patterson	

Nays, 25:

Aschenbrenner	Dewey	Mason	Shaw
Beardsley	Doze	Meyer	Stanley
Berg	Driscoll	Miller	Stevens of
Billingsley	Elthon	Mullaney	Wapello
Calhoun	Fisch	Pendray	Wilson
Chrystal	Goetsch	Reese	
Corwin	Malone	Shangle	

Absent or not voting, 1:

Anderson

The motion was lost.

Consideration of section eight (8) of the committee amendment to Senate File 124 was resumed.

On motion of Senator Reese, section eight (8) of the committee amendment to Senate File 124, as amended, was adopted.

Senator Stevens of Wapello moved that section nine (9) of the committee amendment to Senate File 124 be adopted, which motion prevailed.

Senator Stevens of Wapello moved that section ten (10) of the committee amendment to Senate File 124 be adopted, which motion prevailed.

Senator Stevens of Wapello was granted unanimous consent to strike in line 19, section eleven (11), of the committee amendment the figures "54,512.00" and insert in lieu thereof the following figures: "54,212.00."

Senator Harrington offered the following amendment and moved its adoption:

Amend the committee amendment to Senate File 124 by substituting the following as section eleven (11):

"Sec. 11. For the department of the board of education there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of fifty-five thousand and twelve (55,012) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries:

Chairman, finance committee	\$ 3,000.00
Member, finance committee	3,000.00
Secretary, finance committee	3,400.00

For salaries, support, maintenance and miscellaneous purposes	45,612.00
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Board members to receive a per diem of ten (10) dollars per day and shall not exceed six hundred (600) dollars per year per member.

Grand total of all appropriations for all purposes for each year of the biennium for the board of education.....	\$55,012.00"
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Roll call was requested.

The question was, Shall the amendment to the committee amendment be adopted?

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

Ayes, 24:

Baldwin	Corwin	Knudson	Stevens of
Beardsley	Donohue	McArthur	Decatur
Berg	Geske	Nelson	Valentine
Billingsley	Grunewald	Parker	Wilson
Byers	Harrington	Patterson	
Calhoun	Irwin	Roelofs	
Chrystal	Kimberly	Schmidt	

Nays, 25:

Aschenbrenner	Elthon	Mason	Reese
Bell of Crawford	Fisch	Meyer	Shangle
Bell of	Goetsch	Miller	Shaw
Des Moines	Hopkins	Millhone	Stanley
Dewey	Hush	Moore	Stevens of
Doze	Husted	Mullaney	Wapello
Driscoll	Malone	Pendray	

Absent or not voting, 1:

Anderson

Rule 8 was invoked.

The motion to amend was lost.

On motion of Senator Stevens of Wapello, section eleven (11) of the committee amendment to Senate File 124, as corrected, was adopted.

Senator Stevens of Wapello was granted unanimous consent to correct section twelve (12) of the committee amendment to Senate File 124 in line 4 thereof by striking the words and figures "two hundred fifty-five thousand (255,000)" and inserting in lieu thereof the words and figures "two hundred forty thousand (240,000),".

Senator Stevens of Wapello moved that section twelve (12) of the committee amendment, to Senate File 124, as corrected, be adopted, which motion prevailed.

Senator Elthon offered the following amendment and moved its adoption:

Amend the committee amendment to Senate File 124 by striking in line 4 of section thirteen (13) the words and figures "sixty thousand (60,000)" and insert in lieu thereof the words and figures "fifty thousand (50,000)."

Further amend by inserting in line 6 after the word "maintenance" the following: ", premiums."

Further amend by striking line 8.

Also further amend said section by striking the figures "60,000.00" and inserting in lieu thereof the figures "50,000.00", in line 12 thereof.

Roll call was requested.

The question was, Shall the amendment to the committee amendment be adopted?

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

Ayes, 19:

Aschenbrenner	Doze	Mullaney	Stevens of
Bell of Crawford	Driscoll	Pendray	Decatur
Bell of	Elthon	Roelofs	Stevens of
Des Moines	Fisch	Shangle	Wapello
Billingsley	Goetsch	Stanley	Valentine
Dewey	Mason		

Nays, 27:

Baldwin	Donohue	Knudson	Nelson
Beardsley	Geske	Malone	Parker
Berg	Grunewald	McArthur	Patterson
Byers	Hopkins	Meyer	Schmidt
Calhoun	Hush	Miller	Shaw
Chrystal	Irwin	Millhone	Wilson
Corwin	Kimberly	Moore	

Absent or not voting, 4:

Anderson	Harrington	Husted	Reese
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The motion to amend was lost.

On motion of Senator Stevens of Wapello, section thirteen (13) of the committee amendment to Senate File 124 was adopted.

Senator Chrystal offered the following amendment and moved its adoption:

Amend the committee amendment to Senate File 124, as offered by the appropriations committee, by striking from line 7 of section fourteen (14) the figures "105,000.00" and inserting in lieu thereof the figures "120,000.00", also to amend lines 3 and 4 to correspond therewith.

Roll call was requested.

The question was, Shall the amendment to the committee amendment be adopted?

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

Ayes, 20:

Baldwin	Kimberly	Parker	Shaw
Berg	Knudson	Patterson	Stevens of
Calhoun	McArthur	Reese	Decatur
Corwin	Moore	Roelofs	Valentine
Donohue	Nelson	Schmidt	Wilson
Grunewald			

Nays, 22:

Aschenbrenner	Driscoll	Husted	Pendray
Beardsley	Elthon	Mason	Shangle
Bell of Crawford	Fisch	Meyer	Stanley
Billingsley	Goetsch	Miller	Stevens of
Dewey	Hopkins	Millhone	Wapello
Doze	Hush	Mullaney	

Absent or not voting, 8:

Anderson	Byers	Geske	Irwin
Bell of	Chrystal	Harrington	Malone
Des Moines			

The motion to amend was lost.

Senator Shangle offered the following amendment and moved its adoption:

Amend the pending committee amendment to Senate File 124 as follows:

In line 7, section fourteen (14), insert after the word "county" the words "and district."

Senator Donohue moved the previous question, which motion prevailed.

The motion to amend was lost.

Senator Shangle offered the following amendment and moved its adoption:

Amend the pending committee amendment to Senate File 124 as follows:

In line 7, section fourteen (14), insert after the word "to" the words "agricultural societies."

The motion to amend was lost.

On motion of Senator Stevens of Wapello, the following sections of the committee amendment to Senate File 124 were adopted: Sections fourteen (14), fifteen (15), sixteen (16), seventeen (17), eighteen (18), nineteen (19), twenty (20), twenty-one (21), and twenty-two (22).

Senator Mason offered the following amendment and moved its adoption:

Amend the committee amendment to Senate File 124, section twenty-three (23), line 7, by striking the figures "4,000.00" and inserting in lieu thereof the figures "5,000.00."

Roll call was requested.

The question was, Shall the amendment to the committee amendment be adopted?

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

Ayes, 16:

Baldwin	Driscoll	Kimberly	Moore
Berg	Fisch	Knudson	Reese
Byers	Harrington	Mason	Schmidt
Corwin	Irwin	McArthur	Wilson

Nays, 33:

Aschenbrenner	Donohue	Malone	Roelofs
Beardsley	Doze	Meyer	Shangle
Bell of Crawford	Elthon	Miller	Shaw
Bell of	Geske	Millhone	Stanley
Des Moines	Goetsch	Mullaney	Stevens of
Billingsley	Grunewald	Nelson	Decatur
Calhoun	Hopkins	Parker	Stevens of
Chrystal	Hush	Patterson	Wapello
Dewey	Husted	Pendray	Valentine

Absent or not voting, 1:

Anderson

Rule 8 was invoked.

The motion to amend was lost.

On motion of Senator Stevens of Wapello, the following sections of the committee amendment to Senate File 124 were adopted: Sections twenty-three (23), twenty-four (24), twenty-five (25), twenty-six (26), twenty-seven (27), and twenty-eight (28).

Senator Valentine offered the following amendment and moved its adoption:

Amend the proposed substitute for Senate File 124 by the committee on appropriations as follows:

Section twenty-nine (29), lines 3 and 4 strike the words and figures "fifteen thousand (15,000)" and insert in lieu thereof "sixteen thousand five hundred (16,500)."

Line 8 strike the figures "\$15,000.00" and insert in lieu thereof "\$16,500.00."

Section twenty-nine (29), line 12, strike the figures "\$15,000.00" and insert in lieu thereof "\$16,500.00."

Senator Donohue moved the previous question, which motion prevailed.

Roll call was requested.

The question was, Shall the amendment to the committee amendment be adopted?

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

Ayes, 37:

Aschenbrenner	Donohue	Irwin	Pendray
Baldwin	Doze	Kimberly	Reese
Beardsley	Driscoll	Knudson	Roelofs
Bell of Crawford	Fisch	McArthur	Schmidt
Bell of	Geske	Meyer	Stanley
Des Moines	Grunewald	Millhone	Stevens of
Berg	Harrington	Moore	Decatur
Billingsley	Hopkins	Nelson	Valentine
Calhoun	Hush	Parker	Wilson
Corwin	Husted	Patterson	

Nays, 5:

Dewey	Goetsch	Malone	Shangle
Elthon			

Absent or not voting, 8:

Anderson	Chrystal	Miller	Shaw
Byers	Mason	Mullaney	Stevens of Wapello

The motion prevailed and the amendment to the committee amendment was adopted.

Senator Valentine moved that section twenty-nine (29) of the committee amendment to Senate File 124, as amended, be adopted, which motion prevailed.

Senator Wilson was called to the chair at 3:25 p. m.

Senator Stanley offered the following amendment and moved its adoption:

Amend section thirty (30) of the committee substitute for Senate File 124 by striking from lines 3 and 4 the words and figures "two hundred six thousand nine hundred twelve (206,912)", and inserting in lieu thereof the words and figures "two hundred twelve thousand six hundred fifty (212,650)."

Further amend said section by inserting after the word "support" the words: "Graves Registration, Military Property Audit, Aeronautics Commission,".

Also by striking from line 9 the figures "203,900", and inserting in lieu thereof the figures "209,650."

Further amend said section by striking from line 13 the figures "206,900", and inserting in lieu thereof the figures "212,600."

The chair called for a division of the vote and announced the motion prevailed and the amendment to the committee amendment was adopted.

On motion of Senator Stevens of Wapello, section thirty (30) of the committee amendment to Senate File 124, as amended, was adopted.

Senator Stanley offered the following amendment and moved its adoption:

Amend section thirty-one (31) of the committee substitute for Senate File 124 by striking from line 4 the words and figures "thirty-two thousand nine hundred forty-five (32,945)", and inserting in lieu thereof the words and figures "twenty-seven thousand nine hundred ten (27,910)."

Also by striking lines 11 to 16 inclusive.

Further amend said section by striking from line 20 the figures "32,945", and inserting in lieu thereof the figures "27,910."

The motion prevailed and the amendment to the committee amendment was adopted.

On motion of Senator Stevens of Wapello, section thirty-one (31) of the committee amendment to Senate File 124, as amended, was adopted.

Senator Hopkins offered the following amendment and moved its adoption:

Amend the proposed substitute for Senate File 124 by striking the figures "4000" in line 7, section thirty-four (34), and inserting in lieu thereof the figures "5000."

Roll call was requested.

The question was, Shall the amendment to the committee amendment be adopted?

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

Ayes, 17:

Baldwin	Harrington	Knudson	Patterson
Berg	Hopkins	Millhone	Reese
Calhoun	Irwin	Moore	Schmidt
Corwin	Kimberly	Parker	Wilson
Geske			

Nays, 28:

Aschenbrenner	Driscoll	Malone	Roelofs
Bell of Crawford	Elthon	Mason	Shangle
Billingsley	Fisch	McArthur	Shaw
Byers	Goetsch	Meyer	Stanley
Chrystal	Grunewald	Miller	Stevens of
Dewey	Hush	Mullaney	Wapello
Donohue	Husted	Nelson	Valentine
Doze			

Absent or not voting, 5:

Anderson	Bell of	Pendray	Stevens of
Beardsley	Des Moines		Decatur

The motion to amend was lost.

On motion of Senator Stevens of Wapello, sections thirty-two (32) and thirty-three (33) of the committee amendment to Senate File 124 were adopted.

Senator McArthur offered the following amendment and moved its adoption:

Amend the committee amendment to Senate File 124, line 7, section thirty-four (34), by striking "four thousand (4,000) dollars" and inserting "forty-five hundred (4,500) dollars."

Roll call was requested.

The question was, Shall the amendment to the committee amendment be adopted?

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

Ayes, 28:

Baldwin	Geske	McArthur	Reese
Beardsley	Harrington	Millhone	Roelofs
Bell of	Hopkins	Moore	Schmidt
Des Moines	Hush	Nelson	Stevens of
Berg	Husted	Parker	Decatur
Calhoun	Irwin	Patterson	Valentine
Chrystal	Kimberly	Pendray	Wilson
Corwin	Knudson		

Nays, 21:

Aschenbrenner	Doze	Malone	Shangle
Bell of Crawford	Driscoll	Mason	Shaw
Billingsley	Elthon	Meyer	Stanley
Byers	Fisch	Miller	Stevens of
Dewey	Goetsch	Mullaney	Wapello
Donohue	Grunewald		

Absent or not voting, 1:

Anderson

The motion prevailed and the amendment to the committee amendment was adopted.

In accordance with the McArthur amendment, Senator Stanley was granted unanimous consent to strike the words and figures "thirty-eight thousand nine hundred thirty-four (38,934)" in lines 3 and 4 of section thirty-four (34) and insert in lieu thereof the words and figures "thirty-nine thousand four hundred thirty-four (39,434)"; also, to strike from line 13 the figures "38,934" and insert in lieu thereof the figures "39,434".

On motion of Senator Stevens of Wapello, section thirty-four (34) of the committee amendment to Senate File 124, as amended, was adopted.

President pro tempore Harold L. Irwin returned to the chair at 3:50 p. m.

Senator Pendray offered the following amendment and moved its adoption:

Amend section thirty-five (35), following line 13, under mining camp, by adding "Handicapped children \$10,000.00".

The motion prevailed and the amendment to the committee amendment was adopted.

Senator Pendray was granted unanimous consent to strike the figures "391,450.00" in line 24 of section thirty-five (35), and insert in lieu thereof the figures "401,450.00".

On motion of Senator Stevens of Wapello, section thirty-five (35) of the committee amendment to Senate File 124, as amended, was adopted.

On motion of Senator Stevens of Wapello, section thirty-six (36) of the committee amendment to Senate File 124 was adopted.

Senator Wilson offered the following amendment and moved its adoption:

Amend section thirty-seven (37) of the committee amendment to Senate File 124 in line 7, by changing the figures "3,600" and "10,800" to "4,000" and "12,000" respectively.

Senator Millhone moved the previous question, which motion prevailed.

The chair called for a division of the vote and announced the motion to amend was lost.

On motion of Senator Stevens of Wapello, section thirty-seven (37) of the committee amendment to Senate File 124 was adopted.

Senator Valentine offered the following amendment and moved its adoption :

Amend the committee amendment to Senate File 124 as follows:

Amend the committee amendment to Senate File 124, section thirty-eight (38), line 6, by striking the figures "4500.00" and inserting in lieu thereof "5000.00."

The chair called for a division of the vote and announced the motion prevailed and the amendment to the committee amendment was adopted.

On motion of Senator Stevens of Wapello, section thirty-eight (38) of the committee amendment to Senate File 124, as amended, was adopted.

On motion of Senator Stevens of Wapello, sections thirty-nine (39), forty (40) and forty-one (41) of the committee amendments to Senate File 124 were adopted.

Senator Valentine offered the following amendment and moved its adoption :

Amend the committee amendments to Senate File 124 as follows:

Amend the committee amendment to Senate File 124 by striking from section forty-two (42), line 6, the figures "4500.00" and substituting in lieu thereof "5000.00".

Roll call was requested.

The question was, Shall the amendment to the committee amendment be adopted?

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

Ayes, 24:

Baldwin	Fisch	McArthur	Reese
Bell of Crawford	Geske	Millhone	Schmidt
Berg	Harrington	Moore	Stevens of
Byers	Irwin	Nelson	Decatur
Corwin	Kimberly	Parker	Valentine
Donohue	Knudson	Patterson	Wilson
Driscoll			

Nays, 22:

Aschenbrenner	Elthon	Malone	Shangle
Beardsley	Goetsch	Mason	Shaw
Calhoun	Grunewald	Meyer	Stanley
Chrystal	Hopkins	Mullaney	Stevens of
Dewey	Hush	Pendray	Wapello
Doze	Husted	Roelofs	

Absent or not voting, 4:

Anderson	Bell of	Billingsley	Miller
	Des Moines		

The motion prevailed and the amendment to the committee amendment was adopted.

On motion of Senator Stevens of Wapello, section forty-two (42) of the committee amendment to Senate File 124, as amended, was adopted.

On motion of Senator Stevens of Wapello, sections forty-three (43) and forty-four (44) of the committee amendment to Senate File 124 were adopted.

Senator Wilson was called to the chair at 4:15 p. m.

Senator Chrystal offered the following amendment and moved its adoption:

Amend the amendment to Senate File 124, as offered by the appropriations committee, by striking all of paragraph six (6), section forty-five (45), and inserting in lieu thereof the following:

“(6) For the purpose of carrying out the provisions of chapter one hundred ninety-nine (199), Code of 1931, for each year of said biennium, the sum of nine hundred ninety thousand nine hundred ninety-four (990,994) dollars or so much thereof as may be necessary, to be expended in the manner and under the authority provided in said chapter.”

Senator Baldwin moved the previous question, which motion prevailed.

Roll call was requested.

The question was, Shall the amendment to the committee amendment be adopted?

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

Ayes, 15:

Baldwin	Geske	Kimberly	Roelofs
Bell of Crawford	Grunewald	McArthur	Schmidt
Byers	Hopkins	Parker	Wilson
Chrystal	Irwin	Reese	

Nays, 31:

Aschenbrenner	Donohue	Mason	Shangle
Beardsley	Doze	Meyer	Shaw
Bell of	Driscoll	Miller	Stanley
Des Moines	Fisch	Millhone	Stevens of
Berg	Goetsch	Moore	Decatur
Billingsley	Hush	Mullaney	Stevens of
Calhoun	Husted	Nelson	Wapello
Corwin	Knudson	Patterson	
Dewey	Malone	Pendray	

Absent or not voting, 4:

Anderson	Elthon	Harrington	Valentine
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The motion to amend was lost.

Senator Stanley offered the following amendment and moved its adoption:

Amend section forty-five (45) of the committee amendment to Senate File 124 by inserting after line 89 thereof the following subsection:

"(10). World war orphan's educational aid.

"The sum of two thousand five hundred (2,500) dollars for the use and benefit of children, not under sixteen (16), and not over twenty-one (21) years of age; in amount not exceeding one hundred fifty (150) dollars for any one child, for any one year, who shall have lived in the state of Iowa two (2) years preceding application for aid hereunder, and who are children of men or women who died during the world war between the dates of April 6, 1917, and July 22, 1921, while serving in the army, navy, or marine corps of the United States, as a result of such service; to defray the expenses of tuition, matriculation, laboratory and similar fees, books, and supplies, for such child or children—not including clothing—for attendance at any educational or training institution of college grade, located within the state of Iowa.

Eligibility for aid hereunder shall be determined upon application thereto by the Iowa bonus board, and the eligibility of all eligible applicants shall be certified by the adjutant general of Iowa, to the comptroller of Iowa, and all amounts that may be, or may become due to any individual, or any educational or training institution under this appropriation shall be paid to the individual or institution by the said comptroller upon receipt by him of certification by the president or governing board of such educational or training institution as to the accuracy of charges made, and attendance of the individual at such educational or training institution."

The motion prevailed and the amendment to the committee amendment was adopted.

Senator Shangle offered the following amendment and moved its adoption:

Amend the pending committee amendment to Senate File 124 as follows:

Amend section forty-five (45), subsection one (1), by striking out the words and figures "two million three hundred fifty thousand (2,350,000) dollars" and inserting in lieu thereof the words and figures "one million nine hundred sixty thousand (1,960,000) dollars".

Senator Baldwin moved the previous question. By unanimous consent, Senator Baldwin withdrew his motion.

REPORT OF COMMITTEE

To the Senate and the House of the Forty-sixth General Assembly:

Your undersigned committee appointed under the provisions of House Concurrent Resolution 6 to investigate the sale of three and a half million (3,500,000) dollars of anticipatory warrants to the Carleton D. Beh Company, and all warrants of the state treasurer's office from January

1, 1925, up to date, and the results of the gasoline tax division begs leave to report:

That it convened on the 1st day of March, 1935, and organized for hearings. Hearings were held at various and successive dates thereafter up to and including the 14th day of March, 1935. The following were subpoenaed and examined as witnesses by your committee and their testimony reduced to writing, after each witness having been first duly sworn:

Carleton D. Beh.

James F. Toy.

Leo J. Wegman, treasurer of state.

Mrs. Alex Miller, secretary of state.

Mr. Ray Murray, secretary of agriculture.

Mr. Storms, auditor of state.

Ross Ewing, secretary of executive council.

Mr. Herbert L. Horton.

Clyde Brenton.

Attorney General O'Connor.

Mr. W. H. Gemmill.

Mr. W. G. Noth.

Mr. Fred Porter.

Mr. W. R. Boyd.

Mr. Henry C. Shull.

Mr. E. H. Felton.

In addition, the records of the state treasurer's office, as well as the records of the board of education, and other documentary evidence was available to and submitted to your committee. Your committee finds from the evidence presented to the committee and from all other facts and circumstances available to the committee the following:

That in the fall of 1934, an informal discussion was had by the executive council wherein a proposal of Carleton D. Beh to purchase the entire issue of three and one-half million (3,500,000) dollars of "anticipatory warrants" at five (5) per cent, plus accrued interest from the date of issuance to the date of purchase was discussed and approved by all members of the council, there being a full membership present.

At a subsequent meeting, about two weeks later, a formal motion was made and passed authorizing the issuance of said three and one-half million (3,500,000) dollars of "anticipatory warrants" by the state treasurer and the sale thereof to the Carleton D. Beh Company, at par, plus accrued interest. Said warrants to draw interest at five (5) per cent. At this meeting there was present the treasurer of state, secretary of agriculture and the auditor of state. All members present voted in favor of the motion and the warrants were later issued, delivered to the Carleton D. Beh Company and paid for by said company at par, plus accrued interest. The total cash paid for said warrants by the Carleton D. Beh Company, being three million five hundred twenty-one thousand (3,521,000) and some odd dollars.

Said "anticipatory warrants" were issued under the provisions of the so called Brookhart-Lovrien act and are to be paid out of the revenue

derived by the state from the liquidation of closed banks, interest on public deposits and beer revenues.

The committee further finds that said warrants were not offered at public sale nor were they advertised, nor did the public bid for said warrants. The committee further finds that there is no provision in the Code which requires said warrants to be advertised, offered to the public or sold at public auction. That in the issuance of warrants thereto the state treasurer did advertise that said warrants were for sale but not until after they had been issued, and there were no purchasers therefor.

The committee further finds that in the issuance of prior warrants, the early maturities were quickly taken but the later maturities were not taken and in a number of authorizations were never taken. That there are in the treasurer's office at the present time unsold warrants of prior issues of the longer maturities.

That the offer of the Carleton D. Beh Company was conditional upon all or none and thus enabled the treasurer to dispose of the entire issue at once.

Your committee further finds from the evidence that there were no other purchasers or prospective purchasers in the state of Iowa who would have been willing to take the entire issue at a lesser rate of interest than five (5) per cent or at any rate of interest. The evidence did disclose that one prospective purchaser would have taken the warrants at a somewhat lesser rate of interest, after making his own investigation and his purchase being conditional upon his approval of the issue.

Your committee further finds that the treasurer of state and the executive council, upon an opinion rendered by the attorney general of Iowa had no authority under the Code to advertise the sale of these warrants or to sell them in any other manner than it did.

The committee further finds no irregularities in the issuance and sale of any warrants from January 1, 1925, up to date, either by the treasurer of state, the board of education or any other department.

Your committee further begs leave to report that it employed as counsel to assist it in its investigation, one T. E. Diamond, an attorney from Sheldon, Iowa, who rendered valuable and efficient service to your committee. Your committee also had the services of Frank C. Walrath, a court reporter of Des Moines, Iowa, assisted by Vernon L. Grant, a court reporter of Des Moines, Iowa, and also had as secretary of its committee Leone Webster, of Des Moines, Iowa, all of whom rendered valuable services and assistance to your committee.

The committee further reports that upon a superficial examination it finds that the work necessary to make a complete and thorough investigation of gasoline tax refunds will be monumental and require a large amount of detailed work, necessitating the assistance of an auditor or auditors, and at least one or more clerks and assistants, and that it will be impossible to proceed with this work at this time and have a report ready prior to the close of this session. It is, therefore, the belief of your committee that if the assembly wishes this work to be done an interim committee be appointed to carry on this work and a suitable appropriation be made therefor.

There is filed herewith a complete transcript of all of the evidence taken by your committee for the information of both the House and the Senate.

H. L. IRWIN, *Chairman.*
T. F. DRISCOLL.
JOHN W. BILLINGSLEY.

C. D. MOORE.
PAUL H. CUNNINGHAM.
THOMAS STIMPSON.

MOTION TO RECONSIDER FILED

I move to reconsider the vote by which the motion to reconsider House File 65 was laid on the table. PAUL SCHMIDT.

Senator Reese moved that the Senate recess until 7:00 p. m.

As a substitute motion, Senator Harrington moved that the Senate adjourn until 9:00 a. m. Saturday.

Senator Reese raised the point of order that the Senate had previously adopted a motion to recess until 7:00 p. m.

The chair ruled that a motion to adjourn took precedence over a motion to recess.

The motion to substitute prevailed and the substitution was made. The substitute motion prevailed and the Senate adjourned until 9:00 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 20, 1935.

The Senate met in regular session, Senator George A. Wilson presiding by appointment of President N. G. Kraschel.

Prayer was offered by Rev. C. E. Lookingbill of the M. E. Church of Nevada.

The Journal of April 19, 1935, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Billingsley for the day, on request of Senator Beardsley; Senator Anderson for the day, on request of Senator Meyer.

PETITIONS AND MEMORIALS

The following petitions opposing Senate File 283 were received and filed, to be referred to the committee on public welfare:

Senator Harrington, from residents of Woodbury county; Senator Baldwin, from residents of Dubuque county; Senator Stanley, from residents of Adams and Taylor counties.

The following petitions were received and filed to be referred to the committees as designated:

Senator Stanley, from residents of Adams and Taylor counties, opposing Senate File 282. Committee on state planning.

Senator Grunewald, from residents of Benton county, favoring the chain store tax. Committee on cities and towns.

INTRODUCTION OF BILLS

Senate File 397, by committee on claims, a bill for an act to make appropriations to Simon Warner, Donald Warner, L. C. Meader, John F. Fischer, Clarence A. Altemeir, Harold Manders, Dorothy Manders, Faye Elizabeth Tollari, Julia E. Bell, James E. Bell, Andrew Florine, D. A. Luing, R. E. Frisby, and Frank Comp.

The bill was read first and second times and referred to the committee on appropriations.

Senate File 398, by committee on claims, a bill for an act to make appropriations to Homer Ashmore, Blanche Capps, Jones county, Iowa; Ray Murtoth, Bernadine Mitzkowski, Minnie Baars, Stella Kayser, Olga Gomez, Carrie Louise Baars and Esther Mason.

The bill was read first and second times and referred to the committee on appropriations.

Senate File 399, by committee on claims, a bill for an act to make appropriations to Leo E. Mooney, Everest Agency, F. W. Bearman, James Z. May, F. D. Hamilton, J. Q. Lauer, Mrs. Anna M. Herrman, G. R. Cooper, J. A. Murphy, E. E. Duer, H. H. Spayde Agency, Ray W. Miller Company, Stanley Hoyne, A. J. Keding Agency, H. C. Modlin Agency, Johnson Abstract Company, Snider, Welsh & Hynes, Murphy Insurance Company, George R. Feltus, Dougherty Insurance Agency, Dick Bell Insurance Agency, Helen C. Johnson, A. C. Klatt, Walter M. Spriggs, John S. Klaus, Gehrig Insurance Agency, Kern Insurance Agency, Reno Rosenthal, John F. Golden, B. L. Belt, Herman C. Miller Company, Frank Jewell, Slavia Realty Company, Ed. S. Lofton & Sons, John Tumelty, Hobbs Insurance Agency, Kretschmer Insurance Agency, J. W. Greenley, James P. Mulqueen, I. M. Lobenstein, P. J. Clancy & Sons Company, Walton Brothers, T. Grant Janney & Son, C. D. Hutchins, E. J. Murtagh, J. A. Dougherty, William E. Schmich Insurance Agency, Dougherty Insurance Agency, J. P. Goble, Philip Holm, Wissler Insurance Agency, Willis & Moore, Inc., Ruhl & Ruhl, Webster-Hull Insurance Agency, Hopkins & Mulock, Inc., Hopkins & Mulock, Inc., G. A. Holland & Co., C. I. Snyder Co., Snider, Walsh & Hynes, Waterman & Lohmiller, C. W. Bittinger, Tyrell Insurance Co., I. R. Myers Insurance Agency, Continental Mortgage Company, Goldsmith & Co., J. H. Lynch Insurance Agency, A. A. Luchow, F. C. Hendricks, Tom Kelley, Security Title & Investment Company, H. W. Peel & Son, Richardson Brothers, F. P. Baer & Son, J. E. Hull, O. J. Graham & Company, Phoenix Insurance Agency, P. T. Vaughan, William J. Carter & Son, Peter G. Kern, Hoffman Insurance Agency, Don C. Cook Agency, J. M. Welch Agency, R. D. Gray & Company, Frank Jewell, Haines, Johnson & Baker, Brunn Insurance Agency, Ralph T. McElroy, Schlueter Insurance

Agency, A. W. Hanson Company, John F. Grete Co., John T. McCarthy, The A. C. Root Agency, Maeglin & Diercks, F. W. Eversmeyer, Fred M. Zeigler, J. W. Topping & Son, James E. Jamison, William F. Kiel & Son, Scherfe Insurance Agency, Heitzman Land & Loan Company, Edward J. Lang.

The bill was read first and second times and referred to the committee on appropriations.

Senate File 400, by committee on claims, a bill for an act to make appropriations to Griffis Brothers Construction Company, Burch Construction Company, Booth and Olson, and Gus Osterman.

The bill was read first and second times and referred to the committee on appropriations.

HOUSE AMENDMENTS TAKEN UP

Senator McArthur was granted unanimous consent to call up for consideration Senate File 113, as amended by the House, and found on page 777 of the Senate Journal.

On motion of Senator Donohue, action on concurring in the House amendments to Senate File 113 was deferred.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 379, a bill for an act relating to the creation of the pension fund and annuity retirement system for public school teachers.

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

House Concurrent Resolution 20, relating to employees, duties and compensation thereof after the close of the session.

VIRGIL LEKIN, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 20

Be It Resolved by the House, the Senate concurring: That the Chief Clerk of the House and the Secretary of the Senate be required to remain at the capitol and perform their respective duties for so long a time as may be necessary following the final adjournment of the Forty-sixth General Assembly and that they be authorized to select such of their respective assistants as may be necessary for such time as may

be required for the purpose of correcting and certifying the records of the session and otherwise closing up the business of their respective offices, and also for the packing of the supplies of members for shipment to their homes.

The Chief Clerk of the House and the Secretary of the Senate are hereby authorized to correct the Journals of the House and Senate, respectively, for the last day of the session.

Each of said officers and employees shall receive the same compensation per day for such extra service performed as they now receive, to be paid by the comptroller of state upon certification by the Speaker and Chief Clerk of the House and the President and Secretary of the Senate.

MOTIONS TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which the Harrington amendment to section eleven (11), Senate File 124, found on page 1121 of the Journal of April 19th, failed to pass. GEO. M. HOPKINS.

MR. PRESIDENT: I move that the Senate reconsider the vote by which the Chrystal amendment to Senate File 124, amending line 7, section fourteen (14), failed to pass the Senate.

H. D. MILLER.
GEO. M. HOPKINS.
ORA E. HUSTED.

CONSIDERATION OF SENATE FILE 124 RESUMED

Roll call revealed that all members of the Senate were present, with the exception of Senators Anderson and Billingsley who had been excused previously.

Discussion of the following pending amendment by Senator Shangle was resumed:

Amend the pending committee amendment to Senate File 124 as follows: Amend section forty-five (45), subsection one (1), by striking out the words and figures "two million three hundred fifty thousand (2,350,000) dollars" and inserting in lieu thereof the words and figures "one million nine hundred sixty thousand (1,960,000) dollars."

Senator Baldwin moved the previous question, which motion prevailed.

President pro tempore Harold L. Irwin took the chair at 11:06 a. m.

The question was, Shall the Shangle amendment to the committee amendment be adopted?

Roll call was requested.

On the question, Shall the Shangle amendment to the committee amendment be adopted? the vote was:

Ayes, 23:

Aschenbrenner	Goetsch	Miller	Shaw
Bell of Crawford	Grunewald	Moore	Stanley
Dewey	Hush	Mullaney	Stevens of
Doze	Malone	Pendray	Decatur
Driscoll	Mason	Reese	Stevens of
Elthon	Meyer	Shangle	Wapello
Fisch			

Nays, 25:

Baldwin	Chrystal	Irwin	Parker
Beardsley	Corwin	Kimberly	Patterson
Bell of	Donohue	Knudson	Roelofs
Des Moines	Geske	McArthur	Schmidt
Berg	Harrington	Millhone	Valentine
Byers	Hopkins	Nelson	Wilson
Calhoun	Husted		

Absent or not voting, 2:

Anderson	Billingsley
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Rule 8 was invoked.

The roll call was verified. The motion to amend was lost.

Senator Harrington moved the previous question on all pending amendments to subsection one (1), section forty-five (45) of the committee amendment to Senate File 124, which motion prevailed.

Senator Moore offered the following amendment and moved its adoption:

Amend the committee amendment to Senate File 124 by striking in line 16 of section forty-five (45) the words "two million three hundred fifty thousand" and inserting in lieu thereof the words "two million." Also amend by striking in line 17 of section forty-five (45) the figures "2,350,000" and substituting therefor the figures "2,000,000."

Roll call was requested.

The question was, Shall the amendment to the committee amendment be adopted?

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

Ayes, 21:

Aschenbrenner	Goetsch	Moore	Stanley
Dewey	Hush	Mullaney	Stevens of
Doze	Malone	Pendray	Decatur
Driscoll	Mason	Reese	Stevens of
Elthon	Meyer	Shangle	Wapello
Fisch	Miller	Shaw	

Nays, 26:

Baldwin	Chrystal	Husted	Parker
Beardsley	Corwin	Irwin	Patterson
Bell of Des Moines	Donohue	Kimberly	Roelofs
Berg	Geske	Knudson	Schmidt
Byers	Grunewald	McArthur	Valentine
Calhoun	Harrington	Millhone	Wilson
	Hopkins	Nelson	

Absent or not voting, 3:

Anderson Bell of Crawford Billingsley

The motion to amend was lost.

Senator Malone offered the following amendment and moved its adoption:

Amend the committee amendment to Senate File 124 in section forty-five (45), lines 26 and 27, by striking the words and figures "two million three hundred thirty-one thousand (2,331,000)" and inserting in lieu thereof the words and figures "one million nine hundred thirty-one thousand (1,931,000)."

Roll call was requested.

The question was, Shall the amendment to the committee amendment be adopted?

Senators Shaw and Stevens of Wapello were granted unanimous consent to speak on the amendment.

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

Ayes, 23:

Bell of Crawford	Geske	Meyer	Shaw
Chrystal	Goetsch	Miller	Stanley
Dewey	Grunewald	Mullaney	Stevens of Decatur
Doze	Hush	Pendray	Stevens of Wapello
Driscoll	Malone	Reese	
Elthon	Mason	Shangle	
Fisch			

Nays, 25:

Aschenbrenner	Calhoun	Kimberly	Patterson
Baldwin	Corwin	Knudson	Roelofs
Beardsley	Donohue	McArthur	Schmidt
Bell of Des Moines	Harrington	Millhone	Valentine
Berg	Hopkins	Moore	Wilson
Byers	Husted	Nelson	
	Irwin	Parker	

Absent or not voting, 2:

Anderson Billingsley

Rule 8 was invoked.

The motion to amend was lost.

On motion of Senator Stevens of Wapello, section forty-five (45) of the committee amendment to Senate File 124 was adopted.

Senator Baldwin moved that the deliberation on the committee amendment to Senate File 124 be continued until 1:00 o'clock, at which time the Senate should adjourn until 10:00 a. m. Monday.

By unanimous consent Senator Baldwin withdrew his motion.

Senator Fisch moved the previous question on all pending amendments and the main bill, which motion, by unanimous consent, was withdrawn.

On motion of Senator Patterson section forty-six (46), section forty-seven (47), section forty-eight (48), section forty-nine (49), section fifty (50), section fifty-one (51), section fifty-two (52), section fifty-three (53), section fifty-four (54), section fifty-five (55), and section fifty-six (56) of the committee amendment to Senate File 124, were adopted.

Senator Wilson offered the following amendment and moved its adoption:

Amend the committee amendment to Senate File 124, section fifty-seven (57), line 5, by striking the words "and subject to dismissal by him."

The motion prevailed and the amendment to the committee amendment was adopted.

On motion of Senator Baldwin, section fifty-seven (57), as amended, section fifty-eight (58), section fifty-nine (59), section sixty (60), section sixty-one (61), section sixty-two (62), and section sixty-three (63) of the committee amendment to Senate File 124, were adopted.

Senator Stevens of Wapello offered the following amendment and moved its adoption:

Amend the committee amendment to Senate File 124 by adding thereto the following:

"Sec. 64. For complying with the requirements of the federal public works act there is hereby appropriated for each year of the biennium beginning July 1, 1935 and ending June 30th, 1937, the sum of one million (1,000,000) dollars or so much thereof as may be necessary to be expended for capital improvements and general repairs and replacements as follows:

For new power plant, Clarinda state hospital	\$ 62,500
Remodeling power house and new equipment for same.....	37,500

Boilers and equipment, Mitchellville	10,000
New hospital building, Oakdale	62,500
Two new buildings, Woodward	175,000
Extension prison wall, Ft. Madison	12,500
Kitchen and dining room remodeling, Clarinda	80,000
Sprinkling system, Custodian bldg., Glenwood	12,500
New hospital building, Independence	100,000
State university, Iowa City, improvements	167,500
State college, Ames, improvements	167,500
Teachers' college, Cedar Falls, improvements	75,000
School for blind, Vinton, improvements	15,000
School for deaf, Council Bluffs, improvements	22,500
Total capital expenditures, improvements and betterments.	\$1,000,000

Provided that the full amount of any project may be made available the first year of the biennium and that the approval of the Governor and comptroller must be first obtained before expenditures can be made for any project."

MR. ERIC BROWN ADDRESSED SENATE

Senator Stevens of Wapello asked unanimous consent that Mr. Eric Brown, from the office of the state comptroller, be permitted to explain certain questions in connection with Senate File 124. Objections were raised and the request was denied.

Senator Stevens of Wapello moved that Mr. Eric Brown, from the office of the state comptroller, be given fifteen minutes to speak on the proposed amendment, which motion prevailed.

CONSIDERATION OF SENATE FILE 124 CONTINUED

Senator Wilson returned to the chair at 12:20 p. m.

Senator Dewey moved the previous question on the pending amendment, which motion was lost.

Senator Hush offered the following amendment and moved its adoption:

Amend the proposed amendment by Senator Stevens of Wapello by striking all of line 16 and inserting in lieu thereof the following: "A new cottage at Glenwood.....\$80,000."

Senator Hopkins moved that the pending Stevens of Wapello and Hush amendments be referred to the committee on appropriations.

Senator Stevens of Wapello was granted unanimous consent to withdraw his amendment as well as all subsidiary amendments and motions thereto.

By unanimous consent granted Senator Stevens of Wapello, it was ordered that the secretary prepare such amendments to the

committee amendment to Senate File 124 as might be necessary to correct all totals therein, said amendments to be considered. Monday, April 22, 1935.

Senator Hopkins called up his motion to reconsider the vote by which the Harrington amendment to section eleven (11) of the committee amendment to Senate File 124 failed to be adopted, as found on page 1121 of the Senate Journal.

The question was, Shall the motion to reconsider prevail?

Roll call was requested.

On the question, Shall the motion to reconsider prevail? the vote was:

Ayes, 27:

Baldwin	Geske	Knudson	Patterson
Beardsley	Grunewald	McArthur	Reese
Berg	Harrington	Miller	Roelofs
Byers	Hopkins	Millhone	Schmidt
Calhoun	Husted	Moore	Valentine
Corwin	Irwin	Nelson	Wilson
Donohue	Kimberly	Parker	

Nays, 16:

Aschenbrenner	Goetsch	Pendray	Stevens of
Dewey	Malone	Shangle	Decatur
Doze	Mason	Shaw	Stevens of
Driscoll	Meyer	Stanley	Wapello
Elthon	Mullaney		

Absent or not voting, 7:

Anderson	Bell of	Billingsley	Fisch
Bell of Crawford	Des Moines	Chrystal	Hush

The motion to reconsider prevailed.

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

The question was, Shall the Harrington amendment to the committee amendment be adopted?

Roll call was requested.

On the question, Shall the Harrington amendment to the committee amendment be adopted? the vote was:

Ayes, 26:

Baldwin	Geske	Kimberly	Patterson
Beardsley	Grunewald	Knudson	Reese
Berg	Harrington	McArthur	Roelofs
Byers	Hopkins	Millhone	Schmidt
Calhoun	Hush	Nelson	Valentine
Corwin	Husted	Parker	Wilson
Donohue	Irwin		

Nays, 19:

Aschenbrenner	Driscoll	Miller	Stanley
Bell of Crawford	Elthon	Mullaney	Stevens of
Bell of	Goetsch	Pendray	Decatur
Des Moines	Malone	Shangle	Stevens of
Dewey	Mason	Shaw	Wapello
Doze	Meyer		

Absent or not voting, 5:

Anderson	Chrystal	Fisch	Moore
Billingsley			

The motion prevailed and the amendment to the committee amendment was adopted.

Senator Husted called up his motion to reconsider the vote by which the Chrystal amendment to section fourteen (14), line 7 of the committee amendment to Senate File 124 failed to be adopted, as found on page 1123 of the Senate Journal.

The chair called for a division of the vote and announced that the motion to reconsider prevailed.

On the question of the adoption of the Chrystal amendment to the committee amendment, the motion prevailed and the amendment to the amendment was adopted.

Senator Irwin moved that the committee amendment, as amended, be substituted for Senate File 124. The motion prevailed and the substitution was made.

Senator Baldwin moved the previous question on all pending amendments and the main bill, which motion prevailed.

Senator Fisch was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 401, by committee on claims, a bill for an act to make an appropriation to Earl Wymore.

The bill was read first and second times and referred to the committee on appropriations.

HOUSE MESSAGES CONSIDERED

House File 379, a bill for an act to repeal section forty-three hundred forty-six (4346), Code, 1931, as amended by chapter one hundred twenty-one (121), section fourteen (14), acts of the Forty-fifth General Assembly, and to enact a substitute therefor, relating to the creation of the pension fund in independent school districts adopting the pension and annuity retirement system for public school teachers.

The bill was read first and second times and referred to sifting committee.

DOTTS MEMORIAL RESOLUTION

Whereas, the Honorable A. G. Dotts, who was a member of the House of Representatives in the Fortieth and Fortieth, Extra Sessions, and Senator in the Forty-first, Forty-second and Forty-second, Extra Sessions, from the Fourth District, composed of Lucas and Wayne counties, died in Corydon, Iowa, June 1, 1933, therefore

Be It Resolved by the Senate of the Forty-sixth General Assembly, that a committee of three (3) be appointed to draft suitable resolutions commemorating his life, character and service to the state.

J. E. Doze, *State Senator, Fourth District.*

CALL OF THE SENATE' FILED

The undersigned Senators request a call of the Senate for the consideration of House File 311.

VINCENT F. HARRINGTON.

WM. MCARTHUR.

M. G. FISCH.

ANDREW BELL.

E. I. MASON.

H. D. MILLER.

JOHN N. CALHOUN.

T. W. MULLANEY.

C. E. MALONE.

CLAUDE STANLEY.

WM. S. BEARDSLEY.

H. J. GRUNEWALD.

I. G. CHRYSTAL.

G. E. ROELOFS.

REPORT OF COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

H. F. 60

H. F. 133

H. F. 186

S. F. 391

S. F. 387

S. F. 394

S. F. 395

S. F. 396

S. F. 380

H. F. 379

S. F. 249

H. L. IRWIN, *Chairman.*

AMENDMENTS FILED

Amend House File 311 by striking all of subsection "B", of section four (4) commencing with line 41 to and including line 154 and substituting in lieu thereof the following: "B. An amount based on the gross annual receipts from such retail business, for the tax year of each store operated within the state under a single or common ownership, control, supervision or management, conducting a business by a system of chain stores, computed by applying the following rates to the specific portions of such gross sales of each store so operated, to-wit:

(1) One hundred (100.00) dollars on that portion of the gross sales of each store not in excess of one hundred thousand (100,000) dollars.

(2) Two hundred (200) dollars on that portion of the gross sales of each store in excess of one hundred thousand (100,000) dollars but not in excess of two hundred thousand (200,000) dollars.

(3) Three hundred (300) dollars on that portion of the gross sales of each store in excess of two hundred thousand (200,000) dollars but not in excess of three hundred thousand (300,000) dollars.

(4) Four hundred (400) dollars on that portion of the gross sales of each store in excess of three hundred thousand (300,000) dollars but not in excess of four hundred thousand (400,000) dollars.

(5) Five hundred (500) dollars on that portion of the gross sales of each store in excess of four hundred thousand (400,000) dollars but not in excess of five hundred thousand (500,000) dollars.

(6) Six hundred (600) dollars on that portion of the gross sales of each store in excess of five hundred thousand (500,000) dollars but not in excess of six hundred thousand (600,000) dollars.

(7) Seven hundred (700) dollars on that portion of the gross sales of each store in excess of six hundred thousand (600,000) dollars but not in excess of seven hundred thousand (700,000) dollars.

(8) Eight hundred (800) dollars on that portion of the gross sales of each store in excess of seven hundred thousand (700,000) dollars but not in excess of eight hundred thousand (800,000) dollars.

(9) Nine hundred (900) dollars on that portion of the gross sales of each store in excess of eight hundred thousand (800,000) dollars but not in excess of nine hundred thousand (900,000) dollars.

(10) A tax of one (1) per cent on that portion of the gross sales of each store in excess of nine hundred thousand (900,000) dollars."

L. T. SHANGLE
FRANK C. BYERS

E. P. DONOHUE
H. C. BALDWIN
G. W. PATTERSON.

Amend House File 311 by striking the period in line 19 of section two (2) and inserting a comma in lieu thereof and by adding the following after the comma:

"or for processing, and the term processing shall be construed to include products consumed in the feeding of livestock and poultry and in the growing of field crops."

FRANK BYERS.

Amend Senate File 397 by striking therefrom sections six (6) and seven (7).

Also, amend by renumbering the remaining sections. MIKE G. FISCH.

Amend section eight (8) of the substitute for Senate File 124 by striking from lines 3, 4 and 5 the words and figures "sixty-six thousand nine hundred thirty-one (66,931) dollars and ninety-six (96) cents," and substituting in lieu thereof the words and figures, "seventy-two thousand seven hundred sixteen (72,716) dollars and ninety-six (96) cents."

Also amend said section by striking from line 11 the figures "56,131.96," and substituting in lieu thereof the figures "61,166.96."

CLAUDE STANLEY.

Amend Senate File 124, section twenty-five (25), line 9, by striking the figures "\$15,240.00" and inserting in lieu thereof the figures "\$15,940.00."

CHRIS REESE.

On motion of Senator Baldwin, the Senate adjourned until 10:00 a. m., Monday, April 22, 1935.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 22, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Frank A. Wilder, pastor of the M. E. church at Centerville.

The Journal of April 20, 1935 was approved.

INTRODUCTION OF BILLS

Senate File 402, by committee on judiciary No. 1, a bill for an act relating to a boundary commission, its powers, duties and compensation.

The bill was read first and second times and referred to the committee on appropriations.

Senate File 403, by committee on judiciary No. 1, a bill for an act to repeal House File four hundred fifty (450), chapter three hundred thirteen (313), acts of the Fortieth General Assembly of the state of Iowa relating to a boundary commission, its powers and duties.

The bill was read first and second times and referred to the sifting committee.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 85, a bill for an act relating to the issuance of anticipatory warrants in payments of claims filed against the state sinking fund for public deposits.

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

House File 132, a bill for an act legalizing the transfer of funds from maintenance to general fund in Pottawattamie county.

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

House File 454, a bill for an act legalizing corporate acts and proceedings of the Farnhamville Mutual Telephone Co.

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

House File 492, a bill for an act making an appropriation to W. J. Conley.

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

House File 493, a bill for an act making an appropriation to James Spain.

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

House File 494, a bill for an act relating to the duration of judgments and the limitations of actions.

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

House File 497, a bill for an act directing the governor to issue to Glenn Gott a patent to certain land in Keokuk county, Iowa.

Also: That the House has concurred in Senate amendment to House amendment and passed the following bill in which the concurrence of the House was asked:

Senate File 76, a bill for an act relating to motor vehicle testing stations.

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

Senate File 176, a bill for an act relating to the duration of judgments.

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

Senate File 303, a bill for an act making an appropriation to Craig Miller.

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

Senate File 304, a bill for an act making an appropriation to Ralph Foster.

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

Senate File 305, a bill for an act making an appropriation to Robert Hall, the Anderson Auto Exchange, and Roy Veldhuizen.

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

Senate File 306, a bill for an act making an appropriation to C. A. Lenz.

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

Senate File 307, a bill for an act making an appropriation to E. A. Summerville.

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

Senate File 308, a bill for an act making an appropriation to Lee Hurlburt.

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

Senate File 309, a bill for an act making an appropriation to James Knox.

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

Senate File 310, a bill for an act making an appropriation to Ethel Conner Carlson.

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

Senate File 311, a bill for an act making an appropriation to H. J. Goerner.

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

Senate File 312, a bill for an act making an appropriation to J. T. Davenport.

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

Senate File 313, a bill for an act making an appropriation to W. B. King.

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

Senate File 314, a bill for an act making an appropriation to Muscatine county, Iowa.

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

Senate File 315, a bill for an act making an appropriation to Herman Jordan and Will Ager.

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

Senate File 316, a bill for an act making an appropriation to Doris Sovereign and W. H. Bongartz.

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

Senate File 317, a bill for an act making an appropriation to Charles Hazen, J. F. Hollingsworth, O. P. M. Criley, and the Sunshine Store.

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

Senate File 318, a bill for an act making an appropriation to John F. Fischer.

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

Senate File 319, a bill for an act making an appropriation to A. C. Green and Hans Boeck.

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

Senate File 320, a bill for an act relating to the manufacture, sale and distribution of beer.

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

Senate File 323, a bill for an act making an appropriation to John H. Mitchell and Garritt E. Roelofs.

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

Senate File 340, a bill for an act legalizing certain expenditures made by the city of Davenport, Iowa.

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

Senate File 372, a bill for an act making an appropriation to the judges of the district court of the state of Iowa.

VIRGIL LEKIN, *Chief Clerk.*

HOUSE AMENDMENTS CONSIDERED

Senator Geske was granted unanimous consent to suspend the rules and call up for consideration Senate File 320, amended by the House and received in the Senate, and moved that the Senate concur in the following amendments:

HOUSE AMENDMENTS TO SENATE FILE 320

1. Strike all after the enacting clause and substitute in lieu thereof the following:

"Chapter thirty-seven (37), acts of the Forty-fifth General Assembly, and chapters twenty-five (25) and twenty-six (26), acts of the Forty-fifth General Assembly, Extraordinary Session, are hereby repealed and the following enacted in lieu thereof:

"Section 1. That section nineteen hundred twenty-three (1923), Code of Iowa, 1931, be and the same is hereby amended by striking the period from the word 'whatever' in line 6 thereof and inserting in lieu the following:

"That beer, ale, porter, stout, or any other malt liquor containing not more than four (4) per centum of alcohol by weight shall be exempted from the provisions of Title VI, Code, 1931."

"Sec. 2. That section twenty hundred seventy-two (2072), Code of Iowa, 1931, is hereby amended by striking out the words 'except malt liquors' appearing in the fourth line thereof.

"Sec. 3. That section twenty-one hundred thirty (2130), Code of Iowa, 1931, is hereby amended by striking out the words 'not including malt liquors' appearing in the fifth line thereof.

"Sec. 4. That section twenty-one hundred thirty-six (2136), Code of Iowa, 1931, is hereby amended by striking out all of the last paragraph of subsection twelve (12) thereof.

"Sec. 5. It shall be unlawful for any person to manufacture for sale or sell beer unless a permit is first obtained as provided for in this act.

"Sec. 6. No person, firm, or corporation shall bottle beer within the state of Iowa, except breweries holding a state permit in accordance with the provisions of this act.

"Sec. 7. The term 'person' as used in this act shall include corporation, firm, copartnership, and association.

a. 'Brewer' shall mean any person, firm or corporation who shall manufacture beer for the purpose of sale, barter, exchange or transportation.

b. 'Wholesaler' shall mean any person, firm or corporation other than a brewer or bottler, who shall sell, barter, exchange, offer for sale, have in possession with intent to sell, deal or traffic in, beer, provided, however, that no wholesaler shall be permitted to sell for consumption upon the premises.

c. 'Retailer' shall mean any person who shall sell, barter, exchange, offer for sale, or have in possession with intent to sell any beer for consumption on the premises where sold.

d. 'Dealer' shall mean any person, firm or corporation, wholesaler or retailer, other than a brewer, who shall sell, barter, exchange, offer for sale, have in possession with intent to sell, deal or traffic in beer to be consumed on or off the premises where sold.

e. 'Permit' shall mean an authorization issued by the state permit board or by the treasurer of state or by city and town councils of any city or town, or by boards of supervisors of any county.

f. 'Application' shall mean a formal written request for the issuance of a permit supported by a verified statement of facts.

g. 'Regulation' shall mean any reasonable rule adopted by the state permit board or adopted by the council or board of any city, town, or county, and not in conflict with the provisions of any of the statutes of the state of Iowa.

h. 'Beer' for the purpose of this act shall mean any liquid capable of being used for beverage purposes made by the fermentation of an infusion in potable water of barley, malt and hops, with or without unmalted grains or decorticated and degerminated grains containing not more than four (4) per centum of alcohol by weight. No beer shall be sold in this state unless made from sixty-six and two-thirds (66 $\frac{2}{3}$) per cent or more of barley malt, the remainder to be made from corn grits.

i. 'Permit board' shall mean the state permit board composed of the treasurer of state, the secretary of state, and the auditor of state, of the state of Iowa.

j. The term 'good moral character' shall not be construed to include the following: Any person, firm or corporation who, preceding the making of an application for any permit under the provisions of this act, has been found guilty of violating any of the provisions of the beer act or any of the intoxicating liquor laws of the state or who has been convicted of a felony or an indictable misdemeanor.

"Sec. 8. Permits for the manufacture and sale, or sale of beer shall be divided into three (3) classes, and shall be known as either class 'A', 'B' or 'C' permits, except as otherwise provided in this act. A class 'A' permit shall allow the holder thereof to manufacture and/or sell at wholesale, beer as defined in this act; provided, however, that nothing herein contained shall prohibit the holder of a class 'A' permit from manufacturing beer of a higher alcoholic content for shipment outside this state.

A class 'B' permit shall allow the holder thereof to sell at retail beer for consumption on or off the premises. A class 'C' permit shall allow the holder thereof to sell at retail beer for consumption off the premises.

"Sec. 9. In order to promote uniform compliance with the provisions of this act there is hereby created a state permit board to be composed of the treasurer of state, who shall be the chairman thereof, the secretary of state, and the auditor of state, which board shall have power to issue state permits and to revoke the same upon hearing as provided in this act and to review actions of the city or town councils, including those of special charter cities and boards of supervisors, in refusing to revoke permits, as hereinafter provided. The permit board shall serve without additional compensation. The permit board shall meet on the first Monday in each month for a regular meeting, and upon call at any time. The majority of its members shall constitute a quorum but no final action shall be taken in the issuance of a permit or revocation of a permit without a majority vote. In the event it should be impossible for any of the officials designated as members of this board to be present at any meeting of the board, such official may designate a deputy or assistant in his department to attend such meeting or meetings and act for him and in his stead but at no meeting shall any final decision of the board be made unless at least two (2) members thereof are present in person.

"Sec. 10. Power is hereby granted to the treasurer of state to issue the class 'A' permit, provided for in this act, and to revoke the same for causes herein stated. Power is hereby granted to cities and towns, including cities under special charter, to issue at the discretion of the city council the class 'B' permits and class 'C' permits within their respective limits and to revoke same for the causes herein stated, or in the event the place of business of the permit holder is conducted in a disorderly manner or for the violation of city ordinances regulating the conduct of the beer business or for any other good cause. Power is hereby granted to boards of supervisors to issue, at their discretion, class 'B' and 'C' permits in their respective counties in villages platted prior to January 1, 1934, and to revoke same for causes herein provided, or in the event the place of business of the permit holder is conducted in a disorderly manner. The board of supervisors is hereby granted additional power, without limiting the powers heretofore granted and not in conflict with the express provisions of this act, to adopt rules and regulations and shall have power to prohibit the use and possession of beer by patrons in the permit holder's place of business after closing hours; to regulate or prohibit construction of booths; to prohibit the obstruction of view through windows and doors; to prohibit liquors for beverage purposes having an alcoholic content greater than four (4) per cent by weight, from being used, or kept for any purpose in the permit holder's place of business at any time; to provide that all places and the operations thereof under beer permits must comply with all rules and regulations respecting health, fire, dancing and disorderly conduct.

"Sec. 11. All permits provided for in this act shall expire at the end of one year from and after the date of issuance and may be renewed for a like period upon application being made therefor to the proper

authorities as in this act provided. Class 'A' permits shall be issued only to persons, if natural, who are qualified electors of the state of Iowa, and who possess the qualifications required to be stated in the application as provided in section thirteen (13) of this act, or if a corporation, which corporation is organized and existing, or permitted and authorized to do business under the laws of this state, and whose local manager or person in charge of the business of the corporation in this state possesses the same qualifications required of a natural person making application for such permit.

Class 'B' and 'C' permits shall be issued only to a person, if natural, who is a qualified elector of the town, city, special charter city, or township in which he desires to operate under such permit, and who possesses the qualifications required to be stated in the application for such permit, as provided in sections fourteen (14) and fifteen (15) of this act; or if a corporation, which corporation is organized and existing, or permitted and authorized to do business under the laws of this state, and whose local manager or person in charge of the business of the corporation at the place where such applicant desires to operate, possesses the same qualifications required of a natural person making such application for such permit.

Application for permits by corporations shall be signed by the local manager or person in charge of the business of the corporation where such applicant desires to operate and the permit shall run to such corporation and said manager or person in charge. Such application shall state the name of the corporation, the place of its incorporation and, if incorporated under the laws of a state other than the state of Iowa, that it holds a permit to do business within the state of Iowa. The facts relative to the personal qualifications of the applicant required to be stated in the application under the provisions of sections thirteen (13), fourteen (14) and fifteen (15) of this act, shall pertain to the local manager or person in charge of the business of the corporation. Such manager or person in charge shall be personally, and jointly with said corporation, responsible for the conduct of the business conducted under said permit. In event the manager or person in charge named in said permit ceases to act for such corporation in the capacity of manager or person in charge of the business, his successor shall qualify in like manner and in case of class 'A' permits upon the payment of a transfer fee of ten (10) dollars to the treasurer of state, or in case of class 'B' permits upon payment of a transfer fee in such sum as may be fixed by the council or board issuing the same, not to exceed ten (10) dollars, or in the case of class 'C' permits upon payment of such sum as may be fixed by the council or board issuing the same, not to exceed five (5) dollars, and thereupon the permit shall be transferred to such successor by the issuing power and thereafter said permit shall stand in the names of the corporation and such successor.

"Sec. 12. It shall be unlawful for any person or persons to be either directly or indirectly interested in more than one (1) class of permit.

"Sec. 13. A class 'A' permit shall be issued by the authority so empowered in this act to any person who:

1. Submits a written application for a permit, which application shall state under oath:

a. The name and place of residence of the applicant and the length of time he has lived at such place of residence.

b. That he is a citizen of the state of Iowa.

c. The place of birth of the applicant, and if the applicant is a naturalized citizen, the time and place of such naturalization.

d. The location of the place or building where the applicant intends to operate.

e. The name of the owner of the building and if such owner is not the applicant, that such applicant is the actual lessee of the premises.

f. The application shall state that the applicant for a class 'A' permit has not and will not hereafter enter into any agreement with any person engaged in the business of manufacturing, bottling or wholesaling beer or retailing beer, nor any jobber or agent of such person, nor through any subsidiary or affiliate, nor by any officer, director, stockholder, or firm member of the applicant whereby it is agreed, either directly or indirectly, to supply, furnish, give, rent, pay for, or wholesale to any person engaged in the retail sale of beer any equipment, fixtures, or supplies to be used in the storage, handling, serving, or dispensing of beer or food in any place where beer is sold at retail under the provisions of this act, and that said applicant has not and will not thereafter enter into any agreement whereby such applicant agrees, either directly or indirectly, to pay for the permit applied for by any retail vendor of beer, or to furnish or give money or anything of value to such retail vendor, and that said applicant is not and will not hereafter be interested in the retail sale of beer, either directly or indirectly, through any subsidiary, affiliate, nor by any officer, director, stockholder, or firm member of said applicant.

2. Establishes:

a. That he is a person of good moral character.

b. That the place or building where he intends to operate conforms to all laws, health and fire regulations, applicable thereto, and is a safe and proper place or building.

3. Furnishes a bond in the form prescribed by the treasurer of state, with good and sufficient sureties to be approved by the treasurer of state conditioned upon the faithful observance of this act, in the sum of three thousand (3,000) dollars, and in the event that judgment for a fine and costs is rendered against the permit holder and the same is not paid within thirty (30) days the surety on such bond will become liable for the payment of such fine and costs.

"Sec. 14. Except as otherwise provided in this act a class 'B' permit may be issued by the authority so empowered in this act to any person who:

1. Submits a written application for a permit, which application shall state under oath:

a. The name and place of residence of the applicant, and the length of time he has lived at such place of residence.

b. That he is a qualified elector of the town, city, special charter city, or township in which he desires to operate under such permit.

c. The place of birth of the applicant, and if the applicant is a naturalized citizen, the time and place of such naturalization.

d. The location of the place or building where the applicant intends to operate.

e. The name of the owner of the building and if such owner is not the applicant, that such applicant is the actual lessee of the premises.

f. That the place of business for which the permit is sought is and will continue to be equipped with sufficient tables and seats to accommodate twenty-five (25) persons at one time, and is not within three hundred (300) feet of the premises upon which a building used for school, funeral or church purposes is located, which building is regularly used for school purposes, funeral services, or place of worship, and is not within a business district as defined in section fifty hundred thirty (5030), Code of Iowa, 1931, except that this provision shall not apply to any hotel containing forty (40) or more rooms or to any place of business located in a business district, and shall not apply to villages platted prior to January 1, 1934, and towns under fifteen hundred (1500) in population, according to the last federal census.

g. That there is no agreement existing between the applicant and any person engaged in the business of manufacturing, bottling, or wholesaling beer, nor any jobber or agent of such person, nor through any subsidiary or affiliate, or by an officer, director, or firm member, agreeing, directly or indirectly to supply, furnish, give, rent, pay for, or sell to said applicant any equipment, fixtures or supplies to be used in the storage, handling, serving or dispensing of beer or foods in the place of business for which a permit is sought under the provisions of this act to sell beer at retail; that there is no agreement between the applicant and any such person whereby such person agrees, directly or indirectly, to pay for the permit applied for by the applicant, or agrees to furnish or give money or any thing of value to such applicant, and that there is no agreement, either express or implied, between said applicant and any person engaged in the manufacturing, bottling, or wholesaling of beer or any jobber or agent of such person, or through any subsidiary or affiliate or by an officer, director or firm member whereby they will be interested in the ownership, conduct or operation of the business of the applicant, if granted such permit, under the provisions of this act, to sell beer at retail.

2. Establishes:

a. That he is a person of good moral character.

b. That the place or building where he intends to operate conforms to all laws, health and fire regulations applicable thereto, and is equipped with sanitary and adequate toilet facilities and is a safe and proper place or building.

3. Furnishes a bond in the form prescribed and to be furnished by the treasurer of state with good and sufficient sureties to be approved by the authorities to which application is submitted, conditioned upon the faithful observance of this act, in the sum of one thousand (1,000) dollars, and in the event that judgment for a fine and costs is rendered against the permit holder and the same is not paid within thirty (30) days the surety on such bond will become liable for the payment of such fine and costs.

"Sec. 15. A class 'C' permit shall be issued by the authority so empowered in this act to any person who is bona fide engaged in the sale of groceries and food supplies and the major portion of whose business conducted upon the premises for which said permit is applied for, is the sale of groceries and food supplies, or who is a registered pharmacist and is bona fide engaged in the operation of a drug store or has regularly and continuously employed in such drug store, a registered pharmacist, and who:

1. Submits a written application for a permit, which application shall state under oath:

a. The name and place of residence of the applicant and the length of time he has lived at such place of residence.

b. That he is a qualified elector of the town, city, special charter city, or township in which he desires to operate under such permit.

c. The place of birth of the applicant and if the applicant is a naturalized citizen, the time and place of such naturalization.

d. The location of the place or building where the applicant intends to operate.

e. The name of the owner of the building and if such owner is not the applicant that such applicant is the actual lessee of the premises.

f. That there is no agreement existing between the applicant and any person engaged in the business of manufacturing, bottling, or wholesaling beer, or any jobber or agent of such person or through any subsidiary or affiliate or by an officer, director or firm member agreeing, directly or indirectly to supply, furnish, give, rent, pay for, or sell to said applicant any equipment, fixtures or supplies to be used in the storage, handling, serving, or dispensing of beer or foods in the place of business for which a permit is sought under the provisions of this act to sell beer at retail; and that there is no agreement between the applicant and any such person whereby such person agrees directly or indirectly, to pay for the permit applied for by the applicant, or agrees to furnish or give money or any thing of value to such applicant, and that there is no agreement, either express or implied, between said applicant and any person engaged in the manufacturing, bottling, or wholesaling of beer, or any jobber or agent of such person, or through any subsidiary or affiliate, or by an officer, director, or firm member whereby they will be interested in the ownership, conduct, or operation of the business of the applicant, if granted such permit under the provisions of this act to sell beer at retail.

2. Establishes:

a. That he is a person of good moral character.

b. That the place or building where he intends to operate conforms to all laws, health and fire regulations applicable thereto and is a safe and proper place or building.

a. Furnishes a bond in the form prescribed and to be furnished by the treasurer of state, with good and sufficient sureties to be approved by the authorities to which such application is submitted, conditioned upon the faithful observance of his act, in the sum of one thousand (1,000) dollars, and in the event that judgment for a fine and costs is rendered against the permit holder and the same is not paid within thirty (30) days, the

surety on such bond will become liable for the payment of such fine and costs.

"Sec. 16. No places or buildings occupied by any permittee in cities and towns, including special charter cities, except drug stores or grocery stores holding a class 'C' permit, shall be located outside of a business district as defined in section fifty hundred thirty (5030), Code of Iowa, 1931. It must appear from the application for a permit that the place or building where the applicant intends to operate is located within such business district, but this provision shall not apply to drug stores operated by or regularly and continuously employing a registered pharmacist or to grocery stores applying for a class 'C' permit.

"Sec. 17. Any person holding a class 'A' permit issued by the treasurer of state, as in this act provided, shall be authorized to manufacture and sell, or sell at wholesale, beer for consumption off the premises, such sale or sales within the state of Iowa to be made only to persons holding subsisting class 'A', 'B' or 'C' permits issued in accordance with the provisions of this act.

"Sec. 18. Subject to the provisions of this act, any person holding a class 'B' permit, issued as herein provided, shall be authorized to sell beer for consumption on or off the premises; provided, however, that unless otherwise provided in this act, no sale of beer shall be made for consumption on the premises unless food is served and consumed therewith, and unless such place where such service is made is equipped with tables and seats sufficient to accommodate not less than twenty-five (25) persons at one time. It shall be unlawful for any permittee hereunder to give away beer, or to promote the sale of beer by the gift of any lunch, meal, or articles of food except pretzels, cheese or crackers.

"Sec. 19. Any person holding a class 'C' permit issued as herein provided, shall be allowed to sell beer for consumption off the premises, provided, however, that such sales when made shall be in original containers only.

"Sec. 20. Subject to the provisions of this act, any dining car company, sleeping car company, railroad company or railway company may make application to the treasurer of state of the state of Iowa for a special class 'B' permit, and the treasurer of state of the state of Iowa may issue a permit to any such company which shall authorize the holder thereof to keep for sale and sell on any dining car, sleeping car, buffet car or observation car operated by such applicant, in, through or across the state of Iowa, beer containing no greater content of alcohol by weight than is lawful under this act for consumption in such cars. The application for such permit shall be in such form and contain such information as may be required by the treasurer of state of the state of Iowa. Each such permit shall be good throughout the state as a state permit. Only one such permit shall be required for all cars operated in this state by such applicant, but a duplicate of such permit issued, as herein provided, shall be posted in each car in which such beverages are sold; and no further permit shall be required or tax levied for the privilege of selling beer for consumption in such cars. As a condition precedent to the issuing of any permit hereunder, the applicant shall give bond to the treasurer of state of the state

of Iowa, with good and sufficient sureties thereto to be approved by the treasurer of state, conditioned upon the faithful performance of this act in the penal sum of one thousand (1,000) dollars, and in the event a judgment for fine and costs is rendered against the permit holder and the same is not paid within thirty (30) days the surety on such bond will become liable for the payment of such fine and costs.

"Sec. 21. Cities and towns, including cities under special charter, may, upon proper application, issue to a club within their respective limits a class 'B' permit for the sale of beer for consumption on the premises subject to the provisions of this act. The board of supervisors of any county may issue class 'B' permits to clubs as defined in section twenty-two (22), located in such counties outside of the limits of cities and incorporated towns.

"Sec. 22. No club shall be granted a class 'B' permit under this act:

a. If the buildings occupied by such club are not wholly within the territorial limits of the city, town or special charter city to which such application is made; provided, however, that a golf or country club whose buildings are located outside the territorial limits of the city, town or special charter city, may be issued a class 'B' permit by the local board of supervisors, and further provided, that all of the permit fees authorized under this paragraph shall be collected and retained by the county in which such golf or country club is located and credited to the general fund of said county and provided, further, that such golf or country club shall comply with the restrictions contained in the succeeding paragraphs of this section.

b. If it is a proprietary club, or operated for pecuniary profit.

c. Unless it is incorporated under the laws of the state of Iowa, and its charter is in full force and effect, and/or excepting regularly chartered branches of nationally incorporated organizations.

d. Unless such club has a permanent local membership of not less than fifty (50) adult members.

e. Unless the application for such permit is approved by a majority of the bona fide members of such club who are present at a regular meeting, or a special meeting called to consider the same.

f. Unless it was in operation as a club on the first day of January, A. D. 1934, or being thereafter formed, was in continuous operation as a club for at least two (2) years immediately prior to the date of its application for a class 'B' permit.

"Sec. 23. Every club desirous of obtaining a class 'B' permit shall make written application therefor, executed by its president and attested by its secretary or other similar officers performing the duties usually performed by a president or secretary which application shall state under oath:

a. The name of the club and the location of the premises occupied by it.

b. The names of the officers of said club.

c. That the buildings occupied by such club are wholly within the corporate limits of the city or town to which such application is made.

d. The purposes for which such club was formed and is maintained,

and the number of the bona fide members thereof regularly paying dues.

e. That the application for such permit was approved by a majority of the bona fide members of such club present at a regular meeting or at a special meeting called to consider the same.

"Sec. 24. Every club making application for a class 'B' permit shall furnish a bond with good and sufficient sureties to be approved by the authorities issuing the permit, conditioned upon the faithful observance of this act. Such bond shall be in the sum of one thousand (1,000) dollars, and in the event a judgment for fine and costs is rendered against the permit holder and the same is not paid within thirty (30) days, the surety on such bond will become liable for the payment of such fine and costs.

"Sec. 25. Hotels holding class 'B' permits may serve beer to their guests either in the dining room or dining rooms or to any guest duly registered at such hotel in the rooms of such guests.

"Sec. 26. All outdoor advertising about or concerning any beer permitted to be manufactured and sold under the provisions of this act shall be of a standardized character and no person within the state shall publish or display any outdoor advertising about or concerning such beer without first having obtained the written approval of such plan or form of advertising from the executive council of the state of Iowa.

Provided further that no holder of a permit under the provisions of this act shall exhibit or display or permit to be exhibited or displayed on the premises any signs or posters containing the words 'bar,' 'bar-room,' 'saloon' or words of like import.

"Sec. 27. No persons, except parent or guardian of a minor shall furnish any beer to such minor by gift, sale or otherwise.

"Sec. 28. It shall be unlawful for any person holding a class 'B' permit to allow dancing, either by the patrons or for the amusement of the patrons, in his place of business or in any adjoining room or building owned, operated, or controlled by said permittees, except in hotels having not less than thirty (30) rooms used for sleeping purposes or clubs. No beer shall be sold or delivered to any person between the hours of twelve (12) o'clock midnight and six (6) o'clock of the following morning, and no beer shall be sold or delivered on Sunday, election days, and holidays. During such period of time when the sale or delivery of beer is prohibited no beer shall be consumed on the premises of the permit holder, and no liquor for beverage purposes having an alcoholic content greater than four (4) per cent by weight, shall be used, or kept for any purpose in the permit holder's place of business at any time. A violation of any provision of this section shall be grounds for revocation of the permit.

"Sec. 29. No person engaged in the business of manufacturing, bottling or wholesaling beer, nor any jobber or agent of such person, nor through any subsidiary or affiliate or by an officer, director or firm member, shall directly or indirectly supply, furnish, give, rent, pay for, or sell any equipment, fixtures or supplies used in the storage, handling, serving or dispensing of beer or foods in the place of business of any other permittee authorized under the provisions of this act to sell beer at retail, nor shall he directly or indirectly pay for any such permit or

furnish or give money or any other thing of value to such permit holder; nor directly or indirectly be interested in the ownership, conduct, or operation of the business of any other permittee under the provisions of this act to sell beer at retail. Any permittee who shall permit or assent to, or be a party in any way to any such violation or infringement of the provisions of this act shall be deemed guilty of a misdemeanor and shall be punishable as provided for in this act and such violation shall be grounds for cancellation of the permit.

"Sec. 30. The authorities empowered by this act to issue permits shall make thorough investigation to determine the fitness of the applicants and the truth of the statements contained in their applications. Decision on applications shall be rendered within thirty (30) days after the application is received, and in event the granting authority has not sufficient information upon which to make a decision, notice may be given to the applicant to produce additional evidence as to his qualifications to be granted a permit. Any additional information desired as to such qualifications, or as to the place or building in which the applicant desires to operate may be demanded of the applicant. If the granting authority so desires, the presence of the applicant may be requested to assist in giving additional information. Should additional information be required a further period of thirty (30) days may be taken before a decision is made. Permits shall be issued only upon written application made in accordance with the provisions of sections thirteen (13), fourteen (14), and fifteen (15) of this act.

The annual permit fee for a class 'A' permit shall be four hundred (400) dollars.

The annual permit fee for a class 'B' permit, except permits issued to golf and country clubs, shall be:

- a. In towns having a population of one thousand (1,000) or less, one hundred (100) dollars.
- b. In towns and cities having a population of from one thousand (1,000) to five thousand (5,000) one hundred fifty (150) dollars.
- c. In cities having a population of from five thousand (5,000) to ten thousand (10,000), two hundred (200) dollars.
- d. In cities having a population of over ten thousand (10,000), two hundred fifty (250) dollars.

The permit fee for class 'B' permits issued to golf and country clubs for a period of six (6) months as provided in section twenty-two (22) of this act, shall be fifty (50) dollars.

One class 'B' permit shall be issued upon application meeting the requirements of this act for each five hundred (500) population, or fractional part thereof, up to twenty-five hundred (2,500), and for each one thousand (1,000) population or fractional part thereof, over and above twenty-five hundred (2,500), one additional permit shall be issued, provided, however, that in towns having a population of one thousand (1,000) or less wherein two permits shall be issued if proper application is made therefor in accordance with the requirements of the provisions of this act.

The annual permit fee for a class 'C' permit shall be:

a. In all towns and cities having a population of less than ten thousand (10,000), fifty (50) dollars.

b. In all cities having a population of ten thousand (10,000) and over, seventy-five (75) dollars.

The annual permit fee for special class 'B' permits, issued under section twenty (20) hereof, shall be one hundred (100) dollars, and three (3) dollars for each duplicate thereof, which fees shall be paid into the state treasury. The treasurer of state of the state of Iowa, shall issue duplicates of such permits from time to time as applied for by each such company.

The population classification shall be based on the last federal census.

All beer permits issued under the statutes herein repealed and now in force shall continue in force for a period of ninety (90) days after this act becomes effective, provided such permits shall be subject to revocation for cause as herein provided. The granting authority, at the end of such ninety (90) day period, shall refund to the permit holder an amount proportionate to the unexpired term of the permit, except in cases where the county has received one-half ($\frac{1}{2}$) of the permit fee collected by the granting powers of cities and towns within said county, such cities and towns shall refund one-half ($\frac{1}{2}$) of the said proportionate amount and the county shall refund one-half ($\frac{1}{2}$) thereof.

"Sec. 31. In addition to the submission of a written application for a class 'B' and 'C' permit to the proper granting power, a written application shall be made to the state permit board, accompanied by the state permit fee, which state permit fee shall be ten (10) dollars annually.

Each applicant applying for a class 'B' or 'C' permit, shall, in addition to procuring a permit from the treasurer of state, city or town council, including special charter cities or boards of supervisors, as provided in this act, obtain a state permit from the state permit board upon application made to the board at the same time that application is made to other granting authorities, upon payment of a fee provided therefor in section thirty (30) of this act.

Upon the treasurer of state, city or town council, or board of supervisors, as the case may be, reaching a determination as to the granting or refusing of a permit under such application, such treasurer, council, or board shall forthwith certify to the state permit board the action so taken. If it appears from such certificate that the application for permit has been granted, the state permit board shall then promptly determine whether a state permit shall be issued to said applicant, and shall forthwith certify its decision to such treasurer, council or board, whether or not a state permit has been issued to said applicant and not until the said state permit board issues its permit, shall the applicant have any of the privileges conferred upon a permit holder by this act.

Upon the treasurer of state, any city or town council or board of supervisors revoking or cancelling a permit, such treasurer, council, or board shall forthwith certify to the state permit board the action so taken, and thereupon the state permit board shall immediately cancel its permit to such permit holder, and such action of the state permit board and other granting authority shall be final.

"Sec. 32. If the council of any city or town, including special charter cities, or board of supervisors, finds from information received or investigation made that there are reasonable grounds to believe that a permittee has violated any of the provisions of this act such council or board of supervisors, shall thereupon fix a time and place for a hearing and shall notify the permit holder of such hearing by personally serving him with a written notice thereof as in ordinary civil actions, at least ten (10) days before the date fixed for such hearing. In the preparation and conduct of the hearing, the board shall have power to require by subpoena the testimony of witnesses and the production of papers or documents and any member of the board may sign subpoenas, administer oaths and affirmations, examine witnesses, and receive evidence.

The fees and mileage of such witnesses shall be the same as prescribed by law in judiciary proceedings in the trial of civil cases and the permittee in all such hearings shall have the opportunity to be heard in person and by counsel. All parties to any hearing before the board shall have the right to the attendance of witnesses at such hearing upon making request therefor to the board and designating the person or persons sought to be subpoenaed. In case of disobedience to a subpoena the board may invoke the aid of any court of competent jurisdiction in requiring the attendance and testimony of witnesses and the production of papers or documents and such board may issue an order requiring the persons to appear before the board and give evidence or to produce papers or documents, as the case may be; and any failure to obey such orders of the court may be punished by the court as a contempt thereof.

Testimony may be taken by deposition as in civil cases and any person may be compelled to appear and testify as in civil actions in the courts of this state. Any person who shall neglect and refuse to attend and testify or answer any lawful question or produce documentary evidence if it is in his power to do so, in obedience to a subpoena or lawful requirement by such board, shall be guilty of a misdemeanor and upon conviction thereof by a court of competent jurisdiction shall be punished in accordance with the provisions of section twelve thousand eight hundred ninety-four (12894), Code of Iowa, 1931, and upon such hearing the council or board of supervisors, shall make a finding after hearing the facts with reference to the grounds for the revocation of such permit and by a majority vote shall determine whether or not such permit shall be revoked and make an order accordingly, and said finding shall be final, except when the action of the city or town council or board of supervisors is reviewed by the said state permit board as hereinafter provided, and a different finding is made by said state permit board. If the city or town council or board of supervisors, find at such hearing that the permit should be cancelled and revoked, and makes an order cancelling said permit it shall forthwith certify to the state permit board the action so taken, and thereupon the state permit board shall immediately cancel and revoke its permit to such permittee, and the said permit board shall immediately certify such action to the city or town council or board of supervisors.

"Sec. 33. The state permit board may review the action of any city or town council, including special charter cities and boards of supervisors

in any case where a hearing has been had relative to the cancellation or revocation of a permit, and it appears from the records of the hearing held by said city or town council or board of supervisors, that the permit has not been revoked or cancelled, and it appears from an investigation made by the state permit board that there is reasonable ground to believe that such permit holder has been guilty of violation of the provisions of this act, and upon such hearing shall make a finding, after hearing the facts with reference to the grounds for the revocation of such permit, and by a majority vote shall determine whether or not such permit shall be revoked and make an order accordingly, and said finding shall be final.

If the state permit board finds from investigation that a review of the action of any city or town council, including special charter cities and boards of supervisors, should be had, the state permit board shall thereupon fix a date for the hearing thereof and shall notify the permit holder of such hearing by registered mail of the date fixed for hearing. Such notice shall be mailed to the permittee at the postoffice address where his place of business is conducted under his permit. All such hearings shall be held at the seat of government of the state of Iowa, at Des Moines, Iowa.

In the preparation and conduct of the hearing the board shall have power to require by subpoena the testimony of witnesses and the production of papers or documents and any member of the board may sign subpoenas, administer oaths and affirmations, examine witnesses, and receive evidence. The fees and mileage of such witnesses shall be the same as prescribed by law in judiciary proceedings in the trial of civil cases and the permittee in all such hearings shall have the opportunity to be heard in person and by counsel. All parties to any hearing before the board shall have the right to the attendance of witnesses at such hearing upon making request therefor to the board and designating the person or persons sought to be subpoenaed. In case of disobedience to a subpoena the board may invoke the aid of any court of competent jurisdiction in requiring the attendance and testimony of witnesses and the production of papers or documents and such board may issue an order requiring the persons to appear before the board and give evidence or to produce papers as the case may be, and any failure to obey such orders of the court may be punished by the court as a contempt thereof. Testimony may be taken by deposition as in civil cases and any person may be compelled to appear and testify as in civil actions in the courts of this state. Any person who shall neglect and refuse to attend and testify or answer any lawful question or produce documentary evidence if it is in his power to do so, in obedience to a subpoena or lawful requirement by such board, shall be guilty of a misdemeanor and upon conviction thereof by a court of competent jurisdiction shall be punished in accordance with the provisions of section twelve thousand eight hundred ninety-four (12894), Code of Iowa, 1931.

Like hearings may also be had in cases where a verified petition signed by at least ten (10) tax payers has first been presented to the city or town council, including special charter cities or the board of supervisors, as the case may be, or where the state permit board from its investigation asks that a hearing be had on the revocation of a permit, and in event

the city or town council, including special charter cities and board of supervisors, neglects or refuses to have such hearing, the matter may be presented to the state permit board upon such verified petition in writing, signed by at least ten (10) tax payers of the jurisdiction for which the permit was granted, or the state permit board may upon its own motion conduct such hearing, and the same procedure as in this section provided shall apply with reference to notice of hearing, witnesses, testimony and contempt proceedings for failure to appear, and the board shall make a finding in such cases, which finding shall be binding on the permit holder and also on the city or town councils, including special charter cities or boards of supervisors, as the case may be.

"Sec. 34. The permit fees collected by the state permit board shall be set up in a separate fund with the state comptroller and so much thereof as shall be needed shall be used for necessary office supplies and the employment of investigators, not to exceed five (5) in number. Any unexpended balance shall accrue to the funds as provided for in division 'b' of section fifty (50) of this act. The investigators shall be paid a salary not to exceed eighteen hundred (1800) dollars per annum and shall be allowed necessary traveling expenses not to exceed four (4) dollars per day, in the same manner as other peace officers, employed by the state, such compensation and expenses to be paid from funds to be used by the state permit board.

"Sec. 35. In addition to the annual permit fee to be paid by all class 'A' permittees, under the provisions of this act, there shall be levied and collected from such permittees on all beer manufactured for sale and/or sold in this state at wholesale and on all beer imported into this state for sale at wholesale and sold in this state at wholesale, a tax of one and twenty-four hundredths (1.24) dollars for every barrel containing thirty-one (31) gallons, and at a like rate for any other quantity or for the fractional parts of a barrel. Provided, however, no tax shall be levied or collected on beer shipped outside this state by a class 'A' permittee or sold by one class 'A' permittee to another class 'A' permittee.

"Sec. 36. The treasurer of state or his representative shall have the right to inspect the containers of beer within any store or warehouse within the state, and to examine, gauge and test any beer manufactured, sold or offered for sale within the state, and for the purpose of defraying the expense thereof, the inspection fee hereinafter provided for is levied.

a. Before any beer is sold within the state of Iowa, the original container in which the same was received, shall before being opened and before the beer is removed therefrom, have affixed thereto an inspection fee stamp issued by the treasurer of state, which shall state that the contents were manufactured in compliance with the laws of the state of Iowa, as to alcoholic content and as to the materials used in such manufacture. Subject to the provisions of section four (4) hereof, such stamp shall be affixed by the manufacturer of beer manufactured within the state and offered or intended for sale therein, and by the distributor of any beer shipped to him from without the state. No such stamp shall be used more than once, and shall be cancelled when the beer is removed from the container.

b. The stamps provided for in the preceding section shall be in such form and design as the treasurer of state may designate; shall be in such suitable denominations as to be affixed to the various sized barrels, containers, kegs, cases, or packages of beer, and shall be furnished at a cost of one-half ($\frac{1}{2}$) cent per gallon for the respective containers to be labeled, and for the reason that the manufacturer of beer within the state of Iowa is wholly within the control of the state, such stamps shall be furnished free of charge to Iowa manufacturers, but a record thereof kept as in other cases. Said stamps shall be issued upon request of the holder of any class 'A' permit, and shall when so affixed, bear the number of such permit holder; said stamps shall not be assignable but unused stamps shall be redeemable by the treasurer of state upon demand. The treasurer of state shall keep a record of all stamps sold, together with the name of the permit holder to whom sold and the date of sale.

c. For the convenience of any brewer or other person outside the state who desires to ship beer into the state, the treasurer of state may upon application of such brewer or other person sell such stamps to said brewer or other person to be affixed to said containers by him, provided that in such application the said applicant shall designate the name and permit number of the distributor within the state of Iowa to whom such shipment is made, in which event it shall be the duty of the consignee to make a report on or before the tenth (10th) day of each month as to the amount of beer so received by him, the dates thereof and the name of such shipper during the preceding month.

"Sec. 37. Every brewer or other person shipping beer from out of state into the state of Iowa for sale, and every Iowa brewer shall on or before the tenth (10th) day of each calendar month make a report under oath to the treasurer of the state of Iowa, upon forms to be furnished by him, for such purpose, showing the exact number of barrels or fractional parts thereof, sold and delivered to class 'A' permittees during the preceding calendar month, and shall further show the ingredients of said beer and state that said beer contained the required per cent of sixty-six (66) and two-thirds ($\frac{2}{3}$) of pure barley malt, and did not contain more than four (4) per cent of alcohol by weight; and every Iowa brewer shall further show the number of barrels, or fractional parts thereof, sold within the state of Iowa, and shall also show the reading of the government meter for the period of time contained in the report.

"Sec. 38. The treasurer of state of the state of Iowa, or his authorized representatives, shall at any time have access to the records of any permittee and of any manufacturer of beer sold or offered for sale within the state of Iowa, for the purpose of determining the ingredients of said beer and determining the amount of tax due and owing to the state of Iowa.

"Sec. 39. Every person selling beer at wholesale under a class 'A' permit shall on or before the tenth (10th) day of each calendar month commencing on the tenth (10th) day of the calendar month following the month in which such person is issued a permit, make a report under oath to the treasurer of state upon forms to be furnished by him for such purpose showing the exact number of barrels of beer, or fractional

parts thereof, sold by such permit holder during the preceding calendar month. Such report shall also state the name and address of the several purchasers of such beer and such other information as the treasurer of state may require, and such permit holders shall at the time of filing said report pay to the treasurer of state the amount of tax due at the rate fixed in accordance with the provisions of this act.

A penalty of ten (10) per cent of the amount of the tax shall be added thereto if the report is not filed and the tax paid to the treasurer by said tenth (10th) day of the calendar month.

"Sec. 40. Each class 'A' permittee shall keep proper books of account and records showing the amount of beer sold by him, which books of account shall be at all times open to inspection by the treasurer of state or his authorized representative. Each class 'B' and class 'C' permittee shall keep proper books of account and records showing each purchase of beer made by him, and the date and the amount of each purchase and the name of the person from whom each purchase was made, which books of account and records shall be at all times open to inspection by the treasurer of state or his authorized representative.

"Sec. 41. Every class 'A' permittee having more than one (1) place of business shall be required to have a separate license for each separate place of business maintained by such permittee wherein such beer is stored, warehoused, or sold.

"Sec. 42. Every person holding a class 'B' or class 'C' permit having more than one (1) place of business wherein such beer is sold shall be required to have a separate license for each separate place of business, except as otherwise herein provided.

"Sec. 43. If a permit holder under the provisions of this act, is convicted of a felony or is convicted of a sale of beer contrary to the provisions of this act or is convicted of bootlegging, his permit shall be revoked by the authorities issuing same, and he shall not again be allowed to secure a permit for the distribution or sale of beer nor shall he be an employee of any person engaged in the manufacture, distribution, or sale of beer. Persons who have ever been convicted of a felony shall not be granted a permit, and in the event a person previously convicted of a felony or of any violation of the liquor laws of this state obtains such permit, the granting authority upon such discovery shall have power to immediately revoke and cancel such permit with or without hearing.

In event investigation reveals or changes are made that a class 'A', 'B' or 'C' permit holder or anyone connected with the business of such permit holder has unlawfully engaged in the sale of liquor of a greater alcoholic content than is provided in this act, the authority and power to issue such permit shall make written request to the Iowa state liquor commission for a complete record of all purchases of liquor made from the various sale agencies controlled by such commission, and the commission shall immediately make such investigation and forward to the authority making request therefor a complete list of all liquor purchased by such permit holder, or persons connected with the business of such permit holder, for the information and guidance of the appointing authority in considering the revocation of their permit.

A revocation of a permit granted to any person, firm or corporation

shall carry with it ineligibility to conduct any beer business by anyone upon the premises occupied by the permit holder for one (1) year.

"Sec. 44. It shall be unlawful for the holder of any class 'B' or class 'C' permit issued under the provisions of this act to sell beer, except beer purchased from a person holding a subsisting class 'A' permit issued in accordance with the provisions of this act, and/or on which the tax provided in section thirty-five (35) has been paid.

Provided, however, the provisions of this section shall not apply to the holders of special class 'B' permits issued under section twenty (20) hereof for sale in cars engaged in interstate commerce.

It shall be unlawful for any person not holding a class 'A' permit to import beer into this state for the purpose of sale or resale.

"Sec. 45. The revenue obtained from permit fees and the barrel tax collected under the provisions of this act shall be distributed as follows:

a. Permit fees collected under the provisions of this act by any municipality and/or county shall be retained by such municipality and/or county, and allocated to its general fund.

b. All fees and taxes collected by the treasurer of state of the state of Iowa not used for enforcing the provisions of this act shall accrue to the state sinking fund for public deposits as created in charter three hundred fifty-two-A one (352-A1), Code of Iowa, 1931.

"Sec. 46. Minors and females are prohibited from serving beer in the place of business of any permit holder in which the business of selling beer constitutes more than fifty (50) per cent of the gross business transacted therein. Every person holding a license for dispensing of beer shall be required to file with the town or city clerk a list of his employees giving the date and place of their birth certified under oath.

"Sec. 47. Cities and towns, including special charter cities, are hereby granted additional power, without limiting the powers heretofore granted and not in conflict with the express provisions of this act, to enact ordinances and prescribe penalties for the violation thereof and for the enforcement of this act, in accordance with the provisions of chapter two hundred ninety (290), Code of Iowa, 1931, and shall have power to prohibit the use and possession of beer by patrons in the permit holder's place of business after closing hours; to regulate or prohibit construction of booths; to prohibit the obstruction of view through windows and doors; to prohibit liquors for beverage purposes having an alcoholic content greater than four (4) per cent by weight, from being used, or kept for any purpose in the permit holder's place of business at any time; to provide that all places and the operations thereof under beer permits must comply with all ordinances respecting health, fire, and disorderly conduct. Cities and towns including special charter cities, shall have additional power to appoint an appointive official or officials as a permit inspection board to investigate and report its recommendation upon any application for a permit to sell beer for the information of the council and such board shall have the authority to investigate and report its recommendations upon any charges or complaints made against any permit holder for the information of the council.

"Sec. 48. Any person who violates any of the provisions of this act,

or who manufactures for sale or sells beer without a permit as provided herein, or who makes a false statement concerning any material fact in submitting any application for a permit, or for a renewal of a permit, or in any hearing concerning the revocation thereof, shall be punished by a fine of not less than three hundred (300) dollars, nor more than one thousand (1,000) dollars, or by imprisonment in the county jail for not less than three (3) months, nor more than one (1) year, or by both such fine and imprisonment. It is hereby made unlawful for any person to use or consume beer upon the public streets or highways, or in automobiles or other vehicles on said streets or highways, and any person violating this provision of this act shall be fined not to exceed one hundred (100) dollars or imprisonment in the county jail, not to exceed thirty (30) days.

"Sec. 49. All bottles, kegs, barrels or other original containers in which beer is sold in this state shall bear a label on the outside thereof, stating as follows: 'This beer does not contain more than four (4) per centum of alcohol by weight.' The label on any bottle, keg, barrel, or other container, in which beer is offered for sale in this state, representing the alcoholic content of such beer as being in excess of four (4) per centum by weight shall be conclusive evidence as to the alcoholic content of the beer contained therein. Any beer that contains more than four (4) per cent of alcohol by weight shall be deemed misbranded and any person who shall knowingly introduce into this state, solicit orders for, deliver, transport or have in his possession with the intent to sell any such misbranded beer shall, in addition to the other penalties as now provided, be punished as provided in section thirty hundred forty-seven (3047), Code of Iowa, 1931, and any such violation shall be ground for cancellation of permit.

No beer shall be sold in Iowa which does not comply with the label thereon, and it shall be unlawful for any person holding a permit to sell beer under this act, to add alcohol to beer or any other beverage upon the premises of such permit holder.

Each permit holder dispensing draught beer shall at all times conspicuously display where such beer is dispensed a sign disclosing the name of the beer then being dispensed, and also shall securely affix to each tap and faucet through which beer is drawn, a sign upon which shall appear in type readable eight (8) feet away, the beer then being served or drawn through such tap and faucet. The word 'beer' as used in this section shall include ale, porter, and other similar fermented malt liquors. However, such inclusion shall not authorize the permit holder to sell any of the included beverages of a per centage of alcohol by weight different from that provided for in this act. A violation of any of the provisions of this section shall be grounds for cancellation of permit.

"Sec. 50. If any section, subsection, clause, sentence or phrase of this act is for any reason held to be unconstitutional and invalid, such decision shall not effect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more of the sections, subsections, sentences, clauses or phrases be declared unconstitutional.

"Sec. 51. Any violation of any of the provisions of this act by any

permittee shall be grounds for the cancellation and revocation of the permit of such permittee and any brewer operating without the state who violates any of the provisions of this act shall become ineligible to receive inspection stamps as provided herein and shall thereafter be precluded from making further shipments of beer into the state of Iowa for sale.

"Sec. 52. All acts or parts of acts in conflict herewith are hereby repealed.

"Sec. 53. All equipment of whatsoever kind, including cooling coils, used in the dispensing of beer, shall at all times comply with the rules of sanitation as issued by the state department of health.

"Sec. 54. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Journal-Tribune, a newspaper published in the city of Williamsburg, Iowa, and in The Grinnell Register, a newspaper published in the city of Grinnell, Iowa."

2. Amend the title by striking all after the word 'amend' in line 1 and substitute in lieu thereof the following: 'sections nineteen hundred twenty-three (1923), twenty hundred seventy-two (2072), twenty-one hundred thirty (2130), twenty-one hundred thirty-six (2136), Code of Iowa, 1931, all relating to intoxicating liquors, and to repeal chapter thirty-seven (37), acts of the Forty-fifth General Assembly, and chapters twenty-five (25) and twenty-six (26), acts of the Forty-fifth General Assembly, Extraordinary Session, and to enact a substitute therefor relating to the manufacture, sale and distribution of beer; defining beer; providing for the regulation of the manufacture, sale, and distribution of beer; providing for revenue for the state of Iowa and certain of its municipal subdivisions, including cities and towns under special charter, by taxation of and from permits to manufacture and/or sell beer and providing for the issuance of permits therefor and by providing penalties for the violation of the provisions hereof.'

The question was, Shall the Senate concur?

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

Ayes, 7:

Beardsley	McArthur	Patterson	Shangle
Dewey	Nelson	Reese	

Nays, 37:

Aschenbrenner	Donohue	Irwin	Roelofs
Baldwin	Doze	Kimberly	Schmidt
Bell of Crawford	Driscoll	Knudson	Shaw
Bell	Fisch	Malone	Stanley
of Des Moines	Geske	Mason	Stevens
Berg	Goetsch	Meyer	of Decatur
Billingsley	Grunewald	Moore	Stevens
Byers	Hopkins	Mullaney	of Wapello
Calhoun	Hush	Parker	Valentine
Corwin	Husted	Pendray	Wilson

Absent or not voting, 6:

Anderson	Elthon	Miller	Millhone
Chrystal	Harrington		

The House amendments, not having received a constitutional majority it was declared that the Senate refused to concur in the House amendments.

SENATE FILE 320 MESSAGED TO THE HOUSE

By unanimous consent granted Senator Baldwin, it was ordered that the rules be suspended and Senate File 320 be messaged to the House immediately.

RULE 41 SUSPENDED

Senator Schmidt moved that the Senate suspend Rule 41 during the remainder of the legislative session.

The question was, Shall Rule 41 be suspended?

On the question, Shall Rule 41 be suspended? the vote was:

Ayes, 43:

Beardsley	Doze	Knudson	Reese
Bell of Crawford	Driscoll	Malone	Roelofs
Bell of Des Moines	Elthon	Mason	Schmidt
Berg	Fisch	McArthur	Shaw
Billingsley	Geske	Meyer	Stanley
Byers	Goetsch	Miller	Stevens of Decatur
Calhoun	Grunewald	Millhone	Stevens of Wapello
Chrystal	Harrington	Mullaney	Valentine
Corwin	Hopkins	Nelson	Wilson
Dewey	Hush	Parker	
Donohue	Husted	Patterson	
	Kimberly		

Nays, 1:

Pendray

Absent or not voting, 6:

Anderson	Baldwin	Moore	Shangle
Aschenbrenner	Irwin		

The motion prevailed and Rule 41 was suspended.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 159.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of

the Senate, he had signed in the presence of the Senate, Senate File 159.

BILL SENT TO THE GOVERNOR

Senator Calhoun from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 22nd day of April, 1935, sent to the Governor for his approval Senate File 159.

JOHN N. CALHOUN, *Chairman.*

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had signed Senate Files 136, 207 and 329 on April 20, 1935.

CONSIDERATION OF SENATE FILE 124 RESUMED

Senate File 124, a bill for an act to establish the general fund for the state of Iowa, for the biennium beginning July 1, 1935, and ending June 30, 1937, and to appropriate therefrom for all departments and various divisions thereof, of the state of Iowa, for all purposes provided by law, for the said biennium, was again taken up for consideration.

Roll call revealed the presence of all Senators.

Senator Stevens of Wapello offered the following amendment and moved its adoption:

Amend the committee amendment as substituted for Senate File 124 as follows:

1. Strike the words and figures "three hundred twenty-nine thousand one hundred thirty-four (329,134)" in lines 3 and 4 of section two (2), and insert in lieu thereof the words and figures "three hundred fourteen thousand one hundred forty-nine (314,149)." Also strike the figures "127,500" and insert in lieu thereof the figures "121,215." Also in line 43, strike the figures "329,134" and insert in lieu thereof the figures "314,149."

2. Section three (3), lines 3 and 4, strike the words and figures "sixty-four thousand ninety-three (64,093)" and insert in lieu thereof the words and figures "sixty-four thousand four hundred fifty-three (64,453)." Also in line 16 strike the figures "64,093" and insert in lieu thereof the figures "64,543."

3. Section four (4), lines 3 and 4, strike the words and figures "ninety-five thousand nine hundred (95,900)" and insert in lieu thereof the words and figures "eighty-five thousand five hundred (85,500)", and in line 11, strike the figures "85,000" and insert in lieu thereof "85,500."

4. Section eight (8), lines 3 and 4, strike the words and figures "sixty-six thousand nine hundred thirty-one (66,931)" and insert in lieu thereof the words and figures "sixty-seven thousand six hundred eighty-one (67,681)", and in line 14 strike the figures "66,931.96" and insert in lieu thereof the figures "67,681.96."

5. Section nineteen (19), lines 121 and 122, strike the words and figures "seven hundred fifty (750)" and insert in lieu thereof the words and figures "six hundred (600)."

6. Section thirty-four (34), lines 3 and 4, strike the words and figures "thirty-eight thousand nine hundred thirty-four (38,934)" and insert in lieu thereof the words and figures "thirty-nine thousand four hundred thirty-four (39,434)", and in line 13, strike the figures "38,934" and insert in lieu thereof the figures "39,434."

7. Section thirty-five (35), lines 3 and 4, strike the words and figures "three hundred ninety-one thousand four hundred fifty (391,450)" and insert in lieu thereof the words and figures "four hundred one thousand four hundred fifty (401,450)", and in line 24 strike the figures "391,450" and insert in lieu thereof the figures "401,450."

8. Section thirty-eight (38), lines 3 and 4, strike the words and figures "forty-eight thousand two hundred (48,200)" and insert in lieu thereof the words and figures "forty-eight thousand seven hundred (48,700)." Also in line 12 strike the figures "48,200" and insert in lieu thereof the figures "48,700."

9. Section forty-two (42), line 3, strike the words and figures "eighty-one thousand (81,000)" and insert in lieu thereof the words and figures "eighty-one thousand five hundred (81,500)." Also in line 12 strike the figures "81,000" and insert in lieu thereof the figures "81,500."

10. Section forty-five (45), lines 9 and 10, strike the words and figures "six million six hundred eighty-one thousand two hundred twenty-six (6,681,226)" and insert in lieu thereof the words and figures "six million six hundred eighty-three thousand seven hundred twenty-six (6,683,726)", and in line 92 strike the figures "6,681,226" and insert in lieu thereof the figures "6,683,726."

The motion prevailed and the amendment to the committee amendment as substituted was adopted.

Senator Reese offered the following amendment and moved its adoption:

Amend Senate File 124, section twenty-five (25), line 9, by striking the figures "\$15,240.00" and inserting in lieu thereof the figures "\$15,940.00."

The motion to amend was lost.

Senator Stanley offered the following amendment and moved its adoption:

Amend section eight (8) of the substitute for Senate File 124 by striking from lines 3, 4 and 5 the words and figures "sixty-six thousand nine

hundred thirty-one (66,931) dollars and ninety-six (96) cents," and substituting in lieu thereof the words and figures "seventy-two thousand seven hundred sixteen (72,716) dollars and ninety-six (96) cents."

Also amend said section by striking from line 11 the figures "56,131.96," and substituting in lieu thereof the figures "61,166.96."

The chair called for a division of the vote and announced the motion prevailed and the amendment was adopted.

Senator Stanley offered the following amendment and moved its adoption:

Amend section eight (8), line 14, by striking the figures "66,931.96," and inserting in lieu thereof "72,716.96."

The motion prevailed and the amendment was adopted.

Senator Valentine was called to the chair at 11:00 a. m.

On motion of Senator Shangle, the Senate recessed until 1:00 p. m.

AFTERNOON SESSION

Having recessed until 1:00 p. m. the Senate reconvened, President N. G. Kraschel presiding.

CONFERENCE COMMITTEE ON SENATE FILE 115 APPOINTED

The President appointed the following Senators as members of the second conference committee on Senate File 115: Senators Corwin, Driscoll, Roelofs and Valentine.

THIRD READING OF BILLS

By unanimous consent granted Senator Donohue, Senate File 391, a bill for an act to amend section fifty-two hundred twenty-eight (5228) of the Code of Iowa, 1931, relating to the compensation of county attorneys and to amend section fifty-two hundred twenty-nine (5229) of the Code, relating to the compensation of assistant county attorneys, was taken up and considered.

The bill was read for information.

Senator Donohue moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

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

Ayes, 44:

Anderson	Dewey	Kimberly	Pendray
Aschenbrenner	Donohue	Malone	Reese
Baldwin	Doze	Mason	Roelofs
Beardsley	Driscoll	McArthur	Schmidt
Bell of Crawford	Elthon	Meyer	Stanley
Bell	Fisch	Miller	Stevens
of Des Moines	Geske	Millhone	of Decatur
Berg	Goetsch	Moore	Stevens
Billingsley	Grunewald	Mullaney	of Wapello
Byers	Hopkins	Nelson	Valentine
Calhoun	Hush	Parker	Wilson
Corwin	Irwin	Patterson	

Nays, 1:

Shangle

Absent or not voting, 5:

Chrystal	Husted	Knudson	Shaw
Harrington			

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

Senator Donohue moved that the vote by which Senate File 391 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE 391 MESSAGED TO THE HOUSE

By unanimous consent granted Senator Donohue, it was ordered that the rules be suspended and Senate File 391 be messaged to the House immediately.

CONSIDERATION OF SENATE FILE 124 CONCLUDED

Roll call revealed all members of the Senate were present excepting Senators Chrystal, Husted and Knudson.

On motion of Senator Hush, discussion of Senate File 124 was resumed with the understanding that no roll call would be taken until the completion of the call of the Senate.

Senator Stevens of Wapello moved that the bill as amended be read a third time now and the bill as amended be placed on its passage, which motion prevailed, and the bill as amended was read a third time.

Senators Chrystal, Husted and Knudson having appeared in the Senate chamber, the call of the Senate was declared to be complete.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 16:

Baldwin	Hopkins	McArthur	Patterson
Berg	Husted	Moore	Ruelofs
Calhoun	Kimberly	Nelson	Schmidt
Donohue	Knudson	Parker	Valentine

Nays, 34:

Anderson	Dewey	Hush	Reese
Aschenbrenner	Doze	Irwin	Shangle
Beardsley	Driscoll	Malone	Shaw
Bell of Crawford	Elthon	Mason	Stanley
Bell of	Fisch	Meyer	Stevens of
Des Moines	Geske	Miller	Decatur
Billingsley	Goetsch	Millhone	Stevens of
Byers	Grunewald	Mullaney	Wapello
Chrystal	Harrington	Pendray	Wilson
Corwin			

Absent or not voting, none.

Rule 8 was invoked.

The roll call was verified.

The bill as amended not having received a constitutional majority was declared to have failed to pass the Senate.

Senator Dewey moved that the vote by which Senate File 124 failed to pass the Senate be reconsidered and the motion to reconsider be laid on the table.

By unanimous consent, Senator Dewey withdrew his motion.

THIRD READING OF BILLS

The proper time having arrived, House File 311, a bill for an act to impose an occupation tax on conducting a business by a system of chain stores for selling or otherwise disposing of tangible personal property, such as goods, wares and merchandise at retail, with certain exceptions; providing for the assessment and collection of said tax, and for the distribution and use of the proceeds therefrom; providing for appeals by taxpayers; providing for the administration of said law; providing penalties and fines for the violation thereof; and providing for an appropriation for the enforcement thereof and the repealing of any laws in conflict herewith, was taken up and considered.

The bill was read for information.

Senators Shangle, Byers, Donohue, Baldwin and Patterson offered the following amendment and moved its adoption:

Amend House File 311 by striking all of subsection "B", of section four (4) commencing with line 41 to and including line 154 and substituting in lieu thereof the following: "B. An amount based on the gross annual receipts from such retail business, for the tax year of each store operated within the state under a single or common ownership, control, supervision or management, conducting a business by a system of chain stores, computed by applying the following rates to the specific portions of such gross sales of each store so operated, to-wit:

(1) One hundred (100) dollars on that portion of the gross sales of each store not in excess of one hundred thousand (100,000) dollars.

(2) Two hundred (200) dollars on that portion of the gross sales of each store in excess of one hundred thousand (100,000) dollars but not in excess of two hundred thousand (200,000) dollars.

(3) Three hundred (300) dollars on that portion of the gross sales of each store in excess of two hundred thousand (200,000) dollars but not in excess of three hundred thousand (300,000) dollars.

(4) Four hundred (400) dollars on that portion of the gross sales of each store in excess of three hundred thousand (300,000) dollars but not in excess of four hundred thousand (400,000) dollars.

(5) Five hundred (500) dollars on that portion of the gross sales of each store in excess of four hundred thousand (400,000) dollars but not in excess of five hundred thousand (500,000) dollars.

(6) Six hundred (600) dollars on that portion of the gross sales of each store in excess of five hundred thousand (500,000) dollars but not in excess of six hundred thousand (600,000) dollars.

(7) Seven hundred (700) dollars on that portion of the gross sales of each store in excess of six hundred thousand (600,000) dollars but not in excess of seven hundred thousand (700,000) dollars.

(8) Eight hundred (800) dollars on that portion of the gross sales of each store in excess of seven hundred thousand (700,000) dollars but not in excess of eight hundred thousand (800,000) dollars.

(9) Nine hundred (900) dollars on that portion of the gross sales of each store in excess of eight hundred thousand (800,000) dollars but not in excess of nine hundred thousand (900,000) dollars.

(10) A tax of one (1) per cent on that portion of the gross sales of each store in excess of nine hundred thousand (900,000) dollars.

By unanimous consent granted Senator Calhoun, it was ordered that the opinion of the Attorney General concerning House File 311 received by Representative Burington and Senator Harrington be printed in the Senate Journal.

The question was, Shall the amendment be adopted?

Roll call was requested.

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

Ayes, 15:

Baldwin	Donohue	Irwin	Patterson
Berg	Elthon	Meyer	Pendray
Byers	Geske	Miller	Shangle
Corwin	Hopkins	Millhone	

Nays, 32:

Anderson	Doze	Knudson	Shaw
Aschenbrenner	Driscoll	Malone	Stanley
Beardsley	Fisch	Mason	Stevens
Bell of Crawford	Goetsch	McArthur	of Decatur
Bell of	Grunewald	Moore	Stevens
Des Moines	Harrington	Mullaney	of Wapello
Calhoun	Hush	Reese	Valentine
Chrystal	Husted	Roelofs	Wilson
Dewey	Kimberly	Schmidt	

Absent or not voting, 3:

Billingsley	Nelson	Parker
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The motion to amend was lost.

Senator Berg offered the following amendment and moved its adoption:

Amend House File 311 by substituting a comma for the period at the end of line 27 of section two (2), and adding the following:

“except that this act shall not include nor apply to any place of business at which ninety (90) per cent of the revenue is derived from the sale or distribution of petroleum products.”

By unanimous consent, Senator Berg withdrew his amendment.

Senators Nelson and Roelofs offered the following amendment and moved its adoption:

Amend House File 311 by adding the following at the end of section three (3):

“(d) Persons, firms or corporations whose principal business is that of storing, distributing or selling petroleum products.”

Senator Stevens of Decatur moved the previous question on the pending amendment, which motion prevailed.

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 20:

Baldwin	Chrystal	Grunewald	Parker
Bell of	Corwin	Hopkins	Patterson
Des Moines	Donohue	Kimberly	Roelofs
Berg	Fisch	Millhone	Shangle
Billingsley	Geske	Nelson	Wilson
Byers			

Nays, 30:

Anderson	Elthon	Mason	Schmidt
Aschenbrenner	Goetsch	McArthur	Shaw
Beardsley	Harrington	Meyer	Stanley
Bell of Crawford	Hush	Miller	Stevens of
Calhoun	Husted	Moore	Decatur
Dewey	Irwin	Mullaney	Stevens of
Doze	Knudson	Pendray	Wapello
Driscoll	Malone	Reese	Valentine

Absent or not voting, none.

Rule 8 was invoked.

The motion to amend was lost.

Senator Shangle offered the following amendment and moved its adoption:

Amend House File 311 as follows:

Amend section three (3), subsection "c", by inserting between lines 12 and 13 the following: "food processed and sold for consumption on the premises."

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

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 17:

Baldwin	Byers	Hush	Roelofs
Beardsley	Chrystal	Kimberly	Schmidt
Bell of	Corwin	Miller	Shangle
Des Moines	Donohue	Patterson	Wilson
Berg	Geske		

Nays, 32:

Anderson	Goetsch	McArthur	Reese
Aschenbrenner	Grunewald	Meyer	Shaw
Bell of Crawford	Harrington	Millhone	Stanley
Billingsley	Hopkins	Moore	Stevens of
Calhoun	Husted	Mullaney	Decatur
Dewey	Irwin	Nelson	Stevens of
Doze	Knudson	Parker	Wapello
Driscoll	Malone	Pendray	Valentine
Fisch	Mason		

Absent or not voting, 1:

Elthon

Rule 8 was invoked.

The motion to amend was lost.

By unanimous consent granted Senator Harrington, Senator Elthon was excused from voting on the amendment.

COMMITTEE APPOINTED

In accordance with the Dotts Memorial Resolution, found on page 1145 of the Senate Journal, the President appointed Senators Doze, Shangle and Millhone to serve on the committee.

Senator Knudson was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 404, by committee on insurance, a bill for an act to amend chapter four hundred nine (409) of the Code of Iowa, 1931, and to provide for the creation of a deposit by any foreign company seeking to reinsure the business of any insurance company located in the state of Iowa or to consolidate with any insurance company in the state of Iowa where it provides that after such consolidation the headquarters of such consolidated company shall be located outside the state of Iowa and to prohibit the reinsurance or consolidation of any company located in the state of Iowa with any insurance company located outside the confines of the United States, and to provide for the bringing of class suits by policy holders, either at law or in equity.

The bill was read first and second times and referred to the sifting committee.

HOUSE MESSAGES CONSIDERED

House File 132, a bill for an act to legalize the transfer of funds from the maintenance fund of Pottawattamie county, Iowa, to the general fund.

The bill was read first and second times and referred to the sifting committee.

House File 454, a bill for an act to legalize corporate acts and proceedings of the Farnhamville Mutual Telephone Company of Farnhamville, Iowa, and to provide for the renewal and extension of the period of corporate existence and the adoption of renewal, amended and substituted articles of incorporation by said Farnhamville Mutual Telephone Company.

The bill was read first and second times and referred to the sifting committee.

House File 492, a bill for an act to make an appropriation to W. J. Conley.

The bill was read first and second times and referred to the committee on appropriations.

House File 493, a bill for an act to make an appropriation to James Spain.

The bill was read first and second times and referred to the committee on appropriations.

House File 494, a bill for an act to amend chapter one hundred seventy-eight (178), acts of the Forty-fifth General Assembly, relating to the duration of judgments and the limitations of actions on judgments and fixing the time within which certain judgments may be enforced and executions issued thereon.

The bill was read first and second times and referred to the sifting committee.

House File 497, a bill for an act directing the Governor on behalf of the state of Iowa, to issue to Glen Gott, a patent or conveyance to certain land in Keokuk county, Iowa.

The bill was read first and second times and referred to the sifting committee.

The following concurrent resolution was filed:

SENATE CONCURRENT RESOLUTION 23

Whereas, The action of the national economy act of March 18, 1933, took from all Spanish war veterans, with the exception of a few, the full amount of their then existing pension, and

Whereas, A large majority of these sixty year old veterans, out of work and too old to obtain employment, were forced to suffer embarrassment through the bounty received from friends and charity, and

Whereas, While one hundred (100) per cent of the original pension and compensation has been voted to civil war, Indian war and world war veterans, only seventy-five (75) per cent has been restored to soldiers of the Spanish-American war, and

Whereas, This apparent discrimination against these aging volunteers ought to be, and of right, should be, rectified at the earliest possible moment, and

Whereas, The relief resulting from full restoration of the pension of

these veterans, and the added amount of money placed in circulation would be of benefit to the citizens of the state of Iowa, and

Whereas, House Resolution 6995, formerly known as House Resolution 100, of the federal Congress, covering the restoration of full pension for these veterans is now on file and due to come up for consideration, now, therefore,

Be It Resolved by the Senate, the House concurring: That the Congress of the United States be, and is hereby respectfully memorialized to enact with all convenient speed House Resolution 6995 of the federal Congress, and

Be It Further Resolved: That the Secretary of the Senate cause copies of this resolution, duly certified, to be transmitted to the Senators and Representatives in Congress from the state of Iowa, and that the latter be urged to use their best offices to procure the enactment of such legislation as will accomplish the purpose of this resolution.

CLAUDE STANLEY.

ATTORNEY GENERAL'S OPINION REGARDING HOUSE FILE 311

April 2, 1935.

Honorable Don W. Burington,
House of Representatives,
Building.

Dear Sir:

Chain Stores: Tax: Re: Validity and legality of House File 311.

I have your written request for an opinion respecting the validity and legality of House File 311 with the submitted proposed amendments, which proposed legislation is calculated to tax chain stores with certain exceptions operated within the state of Iowa. In connection with your written request, you have furnished me a copy of the decision of the supreme court of the United States in the case of *Stewart Drygoods Company et al. v. John B. Lewis, et al.*, which decision was handed down on March 11, 1935. 55 S. Ct. 525, 79 L. Ed. 539.

A study of this proposed legislation shows that there are three major considerations. The first two are the classifications for the purpose of taxation and the third one is the exemptions set forth in the bill. This act proposes to impose an occupational tax upon mercantile establishments with certain exceptions, operating on a chain store basis. The class to be taxed is within the designation of chain stores. The tax imposed falls within two classifications. Under the first classification, a graduated tax, based upon the number of stores owned or operated by the chain, is imposed. Under the second classification, the tax imposed is one graduated upon the size of the business, based upon the total volume of same.

The underlying theory of taxation as set forth in this proposed legislation, is that the state is levying an occupational tax for the privilege of operating and maintaining chain stores with certain exceptions, in the state of Iowa. The power of taxation is fundamental to the very existence of the government of states. The restriction that it shall not be so exercised as to denying to any the equal protection of the laws,

does not compel the adoption of an iron rule of equal taxation, nor prevent variety or differences in taxation, or discretion in the selection of subjects, or the classification of taxation of properties, businesses, trades, callings or occupations.

Bell's Gap Railroad Company v. Pennsylvania, 134 U. S., 232, 33 L. Ed., 892, 10 S. Ct., 533.

The fact that a statute discriminates in favor of a certain class does not make it arbitrary if the discrimination is founded upon a reasonable distinction.

American Sugar Refinery Co. v. Louisiana, 179 U. S., 89, 45 L. Ed., 102, 21 S. Ct., 43.

Chain stores constitute a proper classification for the purposes of taxation. They may be taxed as a class but the tax must apply equitably to all persons falling within such a classification. There is always the question of whether or not the rates are so oppressive as to amount to arbitrary discrimination or to unlawful confiscation. When the power to tax exists, the extent of the burden is a matter for the discretion of the law makers.

Magnano Co. v. Hamilton, 292 U. S. 40, 72 L. Ed. 1109, 54 S. Ct. 599.

Even if the tax should destroy the business, it would not be made invalid nor require compensation upon that ground alone. Those who enter upon a business take that risk.

See *Alaska Fish Salting and By-Products Company v. Smith*, 255 U. S., 44, 83 L. Ed., 489, 41 S. Ct., 219.

In the *Magnano Company* case, *supra*, the supreme court of the United States made the reservation that an act might be so arbitrary as not to be an exercise of the taxing power at all, the form of a tax being a cloak for something else.

In the case of *Fox v. The Standard Oil Company*, the supreme court of the United States handed down a decision on January 14, 1935, upholding the right of West Virginia to tax chain stores on the numerical basis, including all the stations operated by the Standard Oil Company.

In this case, the supreme court, in defining a chain store for tax purposes, stated as follows:

"A chain store, as we have seen, is a distinctive business species with its own capacities and functions. Broadly speaking, its opportunities and powers become greater with the number of component links; and the greater they become, the more far-reaching are the consequences, both social and economical. For that reason the state may tax the large chains more heavily than the small ones and upon a graduated basis as indeed we have already held.

State Tax Commissioners v. Jackson (Ind.), 283 U. S. 527, 75 L. Ed., 1248, 51 S. Ct., 540, 73 A. L. R., 1464, 75 A. L. R., 1536, *supra*;

Liggett Company v. Lee (Florida), 288 U. S., 517, 77 L. Ed., 929, 53 S. Ct., 481, 85 A. L. R., 699, *supra*.

"Not only may it do this, but it may make the tax so heavy as to dis-

courage multiplication of the units to an extent believed to be inordinate, and by the incidence of the burden, develop other forms of industry."

Quong Wing v. Kirkendall, 223 U. S., 59, 56 L. Ed., 350, 32 S. Ct., 192."

Businesses may become as harmful to the community by excessive size as by monopoly of the commonly recognized restraints of trade. If the state should conclude that bigness in retail merchandising, as manifested in corporate chains, menaces the public welfare, it might prohibit the excessive size and extent of that business as it prohibits the excessive size or weight in motor trucks or excessive height in the buildings of a city.

Citing *Morris v. DUBY*, 274 U. S., 135, 71 L. Ed., 968, 47 S. Ct., 548; *Welch v. Swasey*, 214 U. S., 91; 53 L. Ed., 923; 29 S. Ct., 567;

Euclid v. Ambler Realty Co., 272 U. S., 365, 71 L. Ed., 303, 47 S. Ct., 114, 54 A. L. R., 1016.

The elimination of chain stores deemed harmful or menacing because of their bigness may be achieved by leveling the prohibition against the corporate mechanism, the means of which excessive size is commonly made possible. Or, instead of absolutely prohibiting the corporate chain store the state might conclude that it should first try the more temperate remedy of curbing the chain by imposing the handicap of discriminatory license fees.

St. Louis Adv. Co. v. St. Louis, 249 U. S., 269; 63, L. Ed., 599, 39 S. Ct., 274;

Hammond Packing Company v. Montana, 233 U. S., 331, 58 L. Ed., 985, 34 S. Ct., 596.

"Taxation is regulation, just as prohibition is."

Compania General de Tabacos de Filipinas v. Collector of Internal Revenue, 275 U. S., 87, 72 L. Ed., 177, 48 S. Ct., 100.

From these decisions rendered by the United States supreme court, it is apparent that the states' power to make social and economic experiments is a broad one. Justice Brandeis of the United States supreme court, in writing his dissenting opinion in the case of *Liggett Company v. Lee*, supra, uses the following strong language:

"There is a widespread belief that the existing unemployment is the result, in large part, of the gross inequality in the distribution of wealth and income which giant corporations have fostered; that by the control which the few have exerted through giant corporations, individual initiative and effort are being paralyzed, creative power impaired and human happiness lessened; that the true prosperity of our past came not from big business, but through the courage, the energy and the resourcefulness of small men; that only by releasing from corporate control the faculties of the unknown many, only by reopening to them the opportunities for leadership, can confidence in our future be restored and the existing misery be overcome; and that only through participation by the many in the responsibilities and determinations of business, can Americans secure the moral and intellectual development which is essential to the maintenance of liberty."

The tax imposed by subdivision "a" of section four (4) of Senate File

172 being a graduated tax based upon the number of stores within a chain, would undoubtedly be upheld by the courts. The following cases recently decided by the United States supreme court are clearly in point:

State Board of Tax Commissioners v. Jackson (Indiana), 283 U. S., 527, decided May 18, 1931;

Fox v. Standard Oil Company (W. Va.), reported in Volume 79, No. 6, page 339 of the United States Supreme Court, L. Ed., advance opinions for 1934 and 1935.

At this time, we are not passing upon subsection "b" of section four (4) to and including line 78 thereof, for the reason that you have submitted an amendment striking out this part of the original bill for our consideration. This proposed amendment levies an additional occupational tax upon the chain stores within the classification set forth in the bill, which tax is based on the maximum volume of the business gauged and based upon the combined gross receipts. This additional tax is also a tax graduated upon the total gross receipts. It starts out with an annual tax of twenty-five (25) dollars upon chain stores where the combined gross receipts are not in excess of fifty thousand (50,000) dollars and the amount of the tax is gradually increased to the sum of nine hundred fifty thousand (950,000) dollars when the gross receipts are in excess of ten million (10,000,000) dollars. An additional amount of tax is levied where the gross receipts of the business are in excess of ten million (10,000,000) dollars.

The additional tax sought to be levied by the above amendment has been upheld by the United States supreme court in the case of *Clark v. Titusville*, 184 U. S., 329. This decision of the United States supreme court was apparently upheld by the same court on March 11, 1935, in the case of *Stewart Drygoods Company, et al., v. John B. Lewis, et al.*, and in this latter decision, the Pennsylvania law that was previously upheld in *Clark v. Titusville* was distinguished from the Kentucky statute that was declared unconstitutional by the supreme court of the United States in the *Stewart Drygoods Company* case. We, therefore, feel that this type of an occupational tax on chain stores would be upheld by the courts.

The exempted occupations as set forth in this proposed enactment are as follows:

a. Co-operative associations not organized for profit under the laws of this state and not for the purpose or with the intent of evading the tax hereby imposed.

b. Persons exclusively engaged in gardening or farming, selling in this state products of their own raising.

c. Persons principally engaged in selling at retail, lumber, coal and building materials.

The occupational tax proposed by this amendment does not appear to discriminate in favor of the above classes. However, the fact that a statute discriminates in favor of a certain class does not make it arbitrary if the discrimination is founded upon a reasonable distinction.

American Sugar Refining Co. v. Louisiana, 179 U. S., 89, 45 L. Ed., 102, 21 S. Ct., 43.

Nor will such a discrimination be held invalid in a statute if any set of facts reasonably can be conceived to sustain it.

Rast v. Van Dena & L. Co., 240 U. S., 342, 60 L. Ed., 679, L. R. A. 1917-a, 421. 36 S. Ct. 370;

Quong Wing v. Kirkendall, 223 U. S., 59, 56 L. Ed., 350; 32 S. Ct. 192.

In the case of *Brown-Forman Co. v. Kentucky*, 217 U. S., 563, 54 L. Ed., 883, 30 S. Ct., 578, the supreme court of the United States stated the rule as follows:

"A very wide discretion must be conceded to the legislative power and the state in the classification of trades, callings, businesses or occupations which may be subjected to special forms of regulation or taxation through an excise or license tax. If the selection or classification was neither a capricious nor arbitrary one and rests upon some reasonable consideration of difference or policy, there is no denial of the equal protection of the law."

All of the above holdings of the United States supreme court were cited with approval by the same court in the very recent case of *State Board of Tax Commissioners v. Jackson*, 283 U. S., 527, 75 L. Ed., 248, 51 S. Ct., 549, 70 L. Ed., 1464.

From a consideration of the above decisions of the supreme court, it is quite plain that the exemptions provided for in divisions "a" and "b" above would be considered and upheld as reasonable distinctions and classifications. However, some questions might arise as to the exemptions provided for by sub-section "c" above. In order to sustain this last exemption, proponents of the same would be required to show that this discrimination was founded upon a reasonable distinction and that the facts surrounding the conduct of chain store, management of retail lumber, coal and building material businesses could reasonably distinguish and differentiate said business from the others that are taxed by this proposed act.

We do not wish to be understood as clearly holding that this last exemption would be held unconstitutional, but we desire to call your attention to the fact that a serious question might be raised against it.

While we have not specifically gone into all of the provisions of this proposed legislation, we have felt that the above were the most important questions involved, and submit the result of our studies for your serious consideration.

Very truly yours,

EDWARD L. O'CONNOR, *Attorney General.*

ELO/sp

April 22, 1935.

Honorable Clyde L. Herring, Governor of Iowa,
Capitol Building.

MY DEAR GOVERNOR: I hereby acknowledge receipt of Representative Don W. Burington's letter to you of April 17, 1935, in which he has suggested that you secure an opinion from this office relative to the chain store tax bill which is now before the Senate for their consideration. In this letter he has submitted three questions which I shall answer in the order in which they are asked.

The first question submitted is as follows:

"1. Whether the taxes imposed under section 4-a should be termed a license fee instead of an occupation tax as section 'b' under four, which is the graduated rate, is also termed as an occupation tax."

The chain store tax has been upheld by the United States Supreme Court as an occupation tax. See *State Board of Tax Commissioners vs. Jackson (Indiana) Indiana Case*, 223 United States 527; *Fox vs. Standard Oil Company of New Jersey*, No. 69, decided January 14, 1935, West Virginia Case. It is not necessary to term this as a license fee.

The second question is as follows:

"2. Whether section nineteen under the bill is constitutional."

Section 19 of the act will exempt the Amana Colony stores and all other stores which may in the future come within this classification. It appears that the main reasons why the supreme court has upheld the tax on chain stores is because of the type of management, control, and operation that is being exercised by these giant chain store corporations, and the resultant effect upon the social and economic life of the communities is far different from that of the independently owned store. The supreme court has held that chain stores can be set apart for the purpose of taxation because of the above distinctions. The stores operated by the Amana Colonies, or similar communal organizations, do not have the management, operation, and control similar to that of the typical chain store. The effect of the colony stores upon the social and economic life of the community is far different from that of the typical chain store. The operation of the colony stores does not in any manner contribute to unemployment within the community. On the contrary every able bodied person living within the Amana Colonies is employed. It appears to me that there are many reasons justifying this exemption which the courts would approve. In my opinion section 19 is constitutional.

The third question requested is as follows:

"3. Whether five under section 16 does abrogate the terms of written contracts which provides that the lessor of the building leased to a chain store is to assume any additional taxes imposed on the chain store at any date after the signing of the lease."

Paragraph 5 of section 16 provides that it shall be unlawful for any chain store, as defined by the act, to shift or attempt to shift the taxes imposed by this act to the buying people, or to anyone else. This section is calculated to require the chain store to pay this tax. Insofar as contracts are concerned, this section cannot have a retrospective effect or application. No law impairing the operation of contracts shall ever be passed. See section 21 of the Constitution of the State of Iowa, article 1, and section 10, of the Constitution of the United States of America, article 1.

Therefore, insofar as contracts are concerned, this section of the chain store bill would have to have a prospective effect. Paragraph 5 of section 16 of the act is a penal statute. Penal statutes cannot have any ex post facto application whatsoever. After the enactment of such a provision in the law of this state, it would be unlawful for a chain store to enter into a lease with the owner of the property requiring the owner of the

property to pay any of this chain store tax. The prospective effect and application of this section would be entirely constitutional.

Trusting that this will fully answer the questions propounded by Representative Burington, I am

Yours very truly,

ELO:JP

EDWARD L. O'CONNOR, *Attorney General.*

REPORT OF COMMITTEE

April 22, 1935.

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

S. F. 335

S. F. 238

H. F. 132

H. F. 167

H. F. 203

H. F. 254

H. L. IRWIN, *Chairman.*

MOTION TO TAKE FROM TABLE

MR. PRESIDENT: I move to take from the table the motion to reconsider the vote by which Senate File 302 failed to pass the Senate.

SENATOR I. G. CRYSTAL

MOTIONS TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which Senate File 124 failed to pass the Senate.

ROY E. STEVENS.

MR. PRESIDENT: I move to reconsider the vote by which Senate File 124 went to its third reading.

ROY E. STEVENS.

MR. PRESIDENT: I move to reconsider the vote by which the Malone amendment to section forty-five (45) of Senate File 124 failed of adoption.

JOHN K. VALENTINE.

MR. PRESIDENT: I move to reconsider the vote by which the Shangle amendment to section forty-five (45) of Senate File 124 failed of adoption.

JOHN K. VALENTINE.

AMENDMENTS FILED

Amend the Calhoun amendment to House File 67 by adding after section twenty-two (22) of said amendment another section as section twenty-three (23) to read as follows: "Sec. 23. It shall be unlawful for any member of the highway patrol, while on duty as such, to wear any uniform of the United States Army, Navy, Marine Corps, or the National Guard, or any part of such uniform, or a uniform or a part of a uniform similar thereto within the state of Iowa. Anyone violating the provisions of this act is guilty of a misdemeanor and upon conviction shall be punished as provided by law."

Further amend said amendment by renumbering the remaining section.

CLAUDE STANLEY.

Amend Senate File 397 as follows:

1. Strike all of section two (2).
2. Renumber the following sections.

MIKE G. FISCH.

Amend Senate File 249, section one (1), by inserting after the word "by" in line 5 thereof the following: "any drainage district the board of supervisors shall fail, neglect or refuse to purchase the certificate of sale issued by."

Further amend Senate File 249 by inserting after the word "may" in line 7 thereof a comma.

Further amend Senate File 249 by inserting after the word "section" in line 11 thereof a comma.

D. W. KIMBERLY.

Amend House File 311 as follows:

Amend section three (3), subsection "b", line 8, by inserting before the word "Persons" the words "Resident."

L. T. SHANGLE.

Amend House File 311 by adding as section twenty-two (22) the following:

1. "Sec. 22. Each and every provision of this act is hereby made to specifically apply to non-resident owned chain farms, the same as to chain stores."

2. Renumber the publication clause as "Sec. 23." L. T. SHANGLE.

Amend House File 311 by adding at the end of section three (3) the following subsection:

"(e) This act shall not apply to any person engaged in conducting a business by a system of chain stores when such business is wholly owned, operated, managed and controlled by a resident citizen of the state of Iowa and has all of its assets within the state."

G. W. PATTERSON.

Amend House File 311, section three (3), subsection "c", by inserting after the word "materials" in line 11 thereof the following: "or processing of grain for feeding purposes" and renumber the ensuing lines of the said subsection.

PAUL H. ANDERSON.

Amend House File 311, section three (3), subsection "c", line 15, by striking the words and figures "Ninety-five (95)" and inserting in lieu thereof the words and figures "Ninety (90)."

J. W. BILLINGSLEY.

Amend House File 311, section three (3), by adding thereto as subsection "e" the following: "Persons whose principal business is the sale of motor vehicles."

E. P. DONOHUE.

Amend House File 311, as amended, by striking from section sixteen (16) thereof lines 26 to 33 inclusive.

JOHN K. VALENTINE.

Amend House File 311, as amended, by striking from section twenty (20) thereof lines 15 to 18 inclusive.

JOHN K. VALENTINE.

Amend House File 311, as amended, by striking from section sixteen (16) thereof lines 34 to 36 inclusive.

JOHN K. VALENTINE.

Amend House File 311 by striking subsection "c" of section three (3).
FRED W. NELSON.

On motion of Senator Stevens of Wapello, the Senate adjourned until 9:30 a. m., Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 23, 1935.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. H. M. Grant, pastor of the M. E. Church at West Branch.

The Journal of April 22, 1935, was approved.

INTRODUCTION OF BILLS

Senate File 405, by committee on ways and means, a bill for an act to provide for an annual levy upon the valuation of the taxable property of the state in order to provide a fund to be known as the "Iowa emergency relief fund" and further to provide for the administration of said fund.

The bill was read first and second times and referred to the committee on appropriations.

Senate File 406, by committee on ways and means, a bill for an act to amend chapter eighty-two (82), acts of the Forty-fifth General Assembly, Extraordinary Session, to provide and appropriate funds for the Iowa emergency relief administration and for the Iowa emergency conservation works for the period commencing July 1, 1935, and extending through December 31, 1935, and to revise the allocation of revenues for general state purposes.

The bill was read first and second times and referred to the committee on appropriations.

Senate File 407, by committee on appropriations, a bill for an act to make an appropriation to the Iowa emergency conservation administration and authorizing disbursement thereof.

The bill was read first and second times and placed on the calendar.

Senate File 408, by committee on appropriations, a bill for an act to appropriate the sum of seven hundred thirty-six thousand

seven hundred fifty (736,750) dollars or so much thereof as may be necessary to meet the requirements of the federal public works act and to provide for improvements and betterments at the various state institutions and state fair grounds.

The bill was read first and second times and placed on the calendar.

HOUSE CONCURRENT RESOLUTION 20

By unanimous consent, Senator Wilson called up for consideration House Concurrent Resolution 20, as found on page 1137 of the Senate Journal.

The concurrent resolution was read for information and on motion of Senator Wilson was adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 59, 93, 268, 455, 473, 474, 475, 479 and 481.

JOHN N. CALHOUN, *Chairman Senate Committee.*
DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files 59, 93, 268, 455, 473, 474, 475, 479 and 481.

Senator Malone asked unanimous consent that Senate File 217 be withdrawn from the sifting committee and placed on the calendar.

Objections were raised and the request was denied.

Senator Malone moved that Senate File 217 be withdrawn from the sifting committee and placed on the calendar.

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

Roll call was requested.

The question was, Shall the bill be withdrawn?

On the question, Shall the bill be withdrawn? the vote was:

Ayes, 19:

Bell of Crawford	Elthon	Miller	Stanley
Billingsley	Fisch	Mullaney	Stevens of
Chrystal	Goetsch	Reese	Decatur
Dewey	Malone	Shangle	Stevens of
Doze	Mason	Shaw	Wapello
Driscoll			

Nays, 25:

Aschenbrenner	Calhoun	Irwin	Parker
Baldwin	Corwin	Kimberly	Patterson
Beardsley	Geske	McArthur	Pendray
Bell of	Grunewald	Millhone	Schmidt
Des Moines	Hopkins	Moore	Valentine
Berg	Hush	Nelson	Wilson
Byers	Husted		

Absent or not voting, 6:

Anderson	Harrington	Meyer	Roelofs
Donohue	Knudson		

The motion was lost.

CONSIDERATION OF HOUSE FILE 311 RESUMED

A call of the Senate having been filed, a roll call revealed the absence of Senators Anderson, Knudson and Meyer.

On motion of Senator Harrington, the deliberation on House File 311 was resumed with the understanding that no roll call should be taken until the absent Senators might appear in the Senate Chamber.

House File 311, a bill for an act to impose an occupation tax on conducting a business by a system of chain stores for selling or otherwise disposing of tangible personal property, such as goods, wares and merchandise at retail, with certain exceptions; providing for the assessment and collection of said tax, and for the distribution and use of the proceeds therefrom; providing for appeals by taxpayers; providing for the administration of said law; providing penalties and fines for the violation thereof; and providing for an appropriation for the enforcement thereof and the repealing of any laws in conflict herewith, was again taken up for consideration.

Senator Shangle offered the following amendment and moved its adoption:

Amend House File 311 by adding as section twenty-two (22) the following:

1. "Sec. 22. Each and every provision of this act is hereby made to specifically apply to non-resident owned chain farms, the same as to chain stores."

2. Renumber the publication clause as "Sec. 23."

Senators Anderson, Knudson and Meyer having appeared in the Senate chamber the call of the Senate was declared to be complete.

Roll call was demanded.

The question was, Shall the amendment be adopted?

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

Ayes, 20:

Anderson	Elthon	McArthur	Patterson
Aschenbrenner	Geske	Meyer	Pendray
Baldwin	Irwin	Moore	Shangle
Billingsley	Kimberly	Mullaney	Stanley
Donohue	Knudson	Nelson	Wilson

Nays, 29:

Beardsley	Corwin	Hopkins	Reese
Bell of Crawford	Dewey	Hush	Roelofs
Bell of Des Moines	Doze	Husted	Schmidt
Berg	Driscoll	Malone	Stevens of Decatur
Byers	Fisch	Mason	Stevens of Wapello
Calhoun	Goetsch	Miller	Valentine
Chrystal	Grunewald	Millhone	
	Harrington	Parker	

Absent or not voting, 1:

Shaw

The motion to amend was lost.

Senator Shangle offered the following amendment and moved its adoption:

Amend House File 311 as follows:

Amend section three (3), subsection "b", line 8, by inserting before the word "Persons" the word "Resident."

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 6:

Baldwin	Irwin	Pendray	Shangle
Berg	Kimberly		

Nays, 35:

Anderson	Bell of	Chrystal	Driscoll
Beardsley	Des Moines	Corwin	Fisch
Bell of Crawford	Calhoun	Dewey	Geske

Goetsch	Mason	Parker	Stevens of
Grunewald	McArthur	Reese	Decatur
Harrington	Meyer	Roelofs	Stevens of
Hopkins	Miller	Schmidt	Wapello
Hush	Moore	Shaw	Valentine
Husted	Mullaney	Stanley	Wilson
Malone	Nelson		

Absent or not voting, 9:

Aschenbrenner	Donohue	Elthon	Millhone
Billingsley	Doze	Knudson	Patterson
Byers			

The motion to amend was lost.

Senator Shangle offered the following amendment and moved its adoption:

Amend House File 311 as follows:

Amend House File 311, section four (4), line 2, by inserting after the word "every" the word "non-resident."

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 16:

Byers	Geske	Miller	Pendray
Corwin	Hopkins	Millhone	Shangle
Donohue	Irwin	Mullaney	Stanley
Elthon	Kimberly	Patterson	Wilson

Nays, 28:

Anderson	Driscoll	Malone	Schmidt
Beardsley	Fisch	Mason	Shaw
Bell of Crawford	Goetsch	McArthur	Stevens of
Bell of	Grunewald	Meyer	Decatur
Des Moines	Harrington	Moore	Stevens of
Calhoun	Hush	Parker	Wapello
Chrystal	Husted	Reese	Valentine
Dewey	Knudson	Roelofs	

Absent or not voting, 6:

Aschenbrenner	Berg	Doze	Nelson
Baldwin	Billingsley		

The motion to amend was lost.

Senator Patterson offered the following amendment and moved its adoption:

Amend House File 311 by adding at the end of section three (3) the following subsection:

"(e) This act shall not apply to any person engaged in conducting a business by a system of chain stores when such business is wholly owned,

operated, managed and controlled by a resident citizen of the state of Iowa and has all of its assets within the state."

Senator Patterson was granted unanimous consent to correct his pending amendment by striking therefrom the word "citizen" in line 6 and inserting in lieu thereof the word "person."

Senator Beardsley raised the point of order that the effect of the Patterson amendment would be the same as the Shangle amendment just rejected and therefore the Patterson amendment was out of order. The chair ruled the point was well taken.

Senator Anderson offered the following amendment and moved its adoption:

Amend House File 311, section three (3), subsection "c", by inserting after the word "materials" in line 11 thereof the following: "or processing of grain for feeding purposes" and renumber the ensuing lines of the said subsection.

By unanimous consent, Senator Anderson withdrew his amendment.

Senator Billingsley offered the following amendment and moved its adoption:

Amend House File 311, section three (3), subsection "c", line 15, by striking the words and figures "ninety-five (95)" and inserting in lieu thereof the words and figures "ninety (90)."

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 21:

Aschenbrenner	Elthon	Kimberly	Patterson
Baldwin	Geske	Malone	Pendray
Billingsley	Hopkins	Miller	Roelofs
Byers	Hush	Millhone	Shangle
Corwin	Irwin	Nelson	Valentine
Donohue			

Nays, 29:

Anderson	Dewey	Knudson	Schmidt
Beardsley	Doze	Mason	Shaw
Bell of Crawford	Driscoll	McArthur	Stanley
Bell of	Fisch	Meyer	Stevens of
Des Moines	Goetsch	Moore	Decatur
Berg	Grunewald	Mullaney	Stevens of
Calhoun	Harrington	Parker	Wapello
Chrystal	Husted	Reese	Wilson

Absent or not voting, none.

Rule 8 was invoked.

The motion to amend was lost.

Senator Donohue offered the following amendment and moved its adoption:

Amend House File 311, section three (3), by adding thereto as subsection "e" the following: "Persons whose principal business is the sale of motor vehicles."

By unanimous consent Senator Donohue withdrew his amendment, substituted the following amendment in lieu thereof, and moved its adoption:

Amend House File 311, section three (3), by adding thereto as subsection "e" the following: "Persons engaged in the operation of garages and whose business consists of ninety (90) per cent of the sale and service of motor vehicles."

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 18:

Baldwin	Byers	Hopkins	Patterson
Bell of	Corwin	Hush	Roelofs
Des Moines	Donohue	Kimberly	Valentine
Berg	Elthon	Miller	Wilson
Billingsley	Geske	Millhone	

Nays, 27:

Anderson	Goetsch	McArthur	Shangle
Beardsley	Grunewald	Meyer	Shaw
Bell of Crawford	Harrington	Mullaney	Stanley
Calhoun	Husted	Parker	Stevens of
Chrystal	Irwin	Pendray	Decatur
Dewey	Malone	Reese	Stevens of
Driscoll	Mason	Schmidt	Wapello
Fisch			

Absent or not voting, 5:

Aschenbrenner	Knudson	Moore	Nelson
Doze			

The motion to amend was lost.

Senator Byers offered the following amendment and moved its adoption:

Amend House File 311 by striking the period in line 19 of section two (2) and inserting a comma in lieu thereof and by adding the following after the comma: "or for processing, and the term processing shall be

construed to include products consumed in the feeding of livestock and poultry and in the growing of field crops."

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 20:

Anderson	Byers	Hopkins	Moore
Baldwin	Corwin	Irwin	Nelson
Beardsley	Donohue	Kimberly	Patterson
Berg	Elthon	Miller	Valentine
Billingsley	Geske	Millhone	Wilson

Nays, 30:

Aschenbrenner	Fisch	Mason	Schmidt
Bell of Crawford	Goetsch	McArthur	Shangle
Bell of Des Moines	Grunewald	Meyer	Shaw
Calhoun	Harrington	Mullaney	Stanley
Chrystal	Hush	Parker	Stevens of Decatur
Dewey	Husted	Pendray	Stevens of Wapello
Doze	Knudson	Reese	
Driscoll	Malone	Roelofs	

Absent or not voting, none.

Rule 8 was invoked.

The motion to amend was lost.

Senator Valentine offered the following amendment and moved its adoption:

Amend House File 311, as amended, by striking from section sixteen (16) thereof lines 26 to 33 inclusive.

The motion prevailed and the amendment was adopted.

On motion of Senator Shangle, the Senate recessed until the fall of the gavel.

The Senate reconvened at the sound of the gavel, President N. G. Kraschel presiding.

Roll call revealed all members of the Senate present excepting Senator Anderson.

CONSIDERATION OF HOUSE FILE 311 CONTINUED

The Senate proceeded with the consideration of House File 311 with the understanding that no roll call should be completed in case it were indicated that the vote of Senator Anderson might determine the failure or passage of any amendment or House File 311.

Senator Valentine offered the following amendment and moved its adoption:

Amend House File 311, as amended, by striking from section twenty (20) thereof lines 15 to 18 inclusive.

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 26:

Aschenbrenner	Donohue	McArthur	Pendray
Baldwin	Elthon	Miller	Roelofs
Berg	Geske	Millhone	Schmidt
Billingsley	Hopkins	Moore	Stanley
Byers	Husted	Nelson	Valentine
Chrystal	Irwin	Patterson	Wilson
Corwin	Kimberly		

Nays, 23:

Beardsley	Driscoll	Malone	Shangle
Bell of Crawford	Fisch	Mason	Shaw
Bell of Des Moines	Goetsch	Meyer	Stevens of Decatur
Calhoun	Grunewald	Mullaney	Stevens of Wapello
Dewey	Harrington	Parker	
Doze	Hush	Reese	
	Knudson		

Absent or not voting, 1:

Anderson

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend House File 311, as amended, by striking from section sixteen (16) thereof lines 34 to 36 inclusive.

The motion prevailed and the amendment was adopted.

Senator Nelson offered the following amendment and moved its adoption:

Amend House File 311 by striking subsection "c" of section three (3).

By unanimous consent, Senator Nelson withdrew his amendment.

Senator Valentine was called to the chair.

Senator Pendray offered the following amendment and moved its adoption:

Amend House File 311 by striking subsection "c" of section three (3).

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 13:

Baldwin	Grunewald	Millhone	Pendray
Berg	McArthur	Nelson	Roelofs
Chrystal	Miller	Patterson	Stanley
Corwin			

Nays, 36:

Aschenbrenner	Doze	Irwin	Schmidt
Beardsley	Driscoll	Kimberly	Shangle
Bell of Crawford	Elthon	Knudson	Shaw
Bell of	Fisch	Malone	Stevens of
Des Moines	Geske	Mason	Decatur
Billingsley	Goetsch	Meyer	Stevens of
Byers	Harrington	Moore	Wapello
Calhoun	Hopkins	Mullaney	Valentine
Dewey	Hush	Parker	Wilson
Donohue	Husted	Reese	

Absent or not voting, 1:

Anderson

The motion to amend was lost.

Senator Donohue offered the following amendment and moved its adoption:

Amend House File 311, section three (3), as follows:

1. By inserting in subsection "c", line 11, after the word "feed", the words "farm machinery."

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 14:

Baldwin	Donohue	Malone	Pendray
Berg	Geske	Miller	Roelofs
Byers	Hopkins	Patterson	Shangle
Corwin	Kimberly		

Nays, 32:

Aschenbrenner	Doze	Knudson	Shaw
Beardsley	Driscoll	Mason	Stanley
Bell of Crawford	Fisch	Meyer	Stevens of
Bell of	Goetsch	Millhone	Decatur
Des Moines	Grunewald	Moore	Stevens of
Billingsley	Harrington	Mullaney	Wapello
Calhoun	Hush	Parker	Valentine
Chrystal	Husted	Reese	Wilson
Dewey	Irwin	Schmidt	

Absent or not voting, 4:

Anderson Elthon McArthur Nelson

The motion to amend was lost.

Senator Shangle offered the following amendment and moved its adoption:

Amend House File 311 as follows:

Amend section three (3) by adding at end subsection "e" as follows:
"e. Hotels."

By unanimous consent Senator Shangle withdrew his amendment.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Concurrent Resolution 21 memorializing the federal Congress to enact legislation which will prohibit the advertising of alcoholic liquors in any respect.

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

House File 179, a bill for an act relating to the sale and carrying of dangerous and concealed weapons and the violation thereof.

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

House File 496, a bill for an act making an appropriation for the board of cosmetology examiners.

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

House File 500, a bill for an act making an appropriation to the bureau of labor.

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

House File 501, a bill for an act making appropriations to Mrs. Oscar Barnes, O. D. Albrecht, O. Evald Olson, Adolph Wiese, Martin Borlaug, J. C. Robinson, Henry G. Peterson, Everett Harris, Gordon L. Elliott, and W. C. Johnson.

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

House File 502, a bill for an act making an appropriation to pay the necessary expenses of vocational summer school for the adult blind.

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

Senate File 294, a bill for an act relating to the filling or sealing of openings of abandoned coal mines.

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

Senate File 300, a bill for an act relating to compensation for injuries sustained arising out of and in the course of employment.

Also: That the House has insisted upon its amendments to the following bill in which the concurrence of the House was asked:

Senate File 320, a bill for an act relating to the manufacture, sale and distribution of beer.

The House has named as its conferees: Gallagher of Iowa, Wieben of Tama, Rice of Keokuk, Blue of Wright.

Also: That the House has failed to pass the following bill in which the concurrence of the House was asked:

Senate File 331, a bill for an act relating to suits on bonds or notes secured by real estate mortgages or deed of trust.

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

Senate File 359, a bill for an act relating to tax sales.

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

Senate File 366, a bill for an act making an appropriation to J. M. Vernon, Edd Scantlebury and Miles Baier.

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

Senate File 367, a bill for an act making an appropriation to J. M. Cree.

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

Senate File 374, a bill for an act making an appropriation to H. L. Heller, M. V. Harmon, L. C. Syfert, W. M. Cutter, Carl Weeks, Walter Kiser, Joe Michels, E. E. Peterson, Ed Kennedy, Carl R. Ryder, Elsie Maden, Mrs. J. H. Kelley, and H. M. Kelley.

VIRGIL LEKIN, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 21

Whereas, We believe that the American people are in favor of temperance in the use of alcoholic liquors, and

Whereas, We have cause to believe by reason of campaign promises of the present National Administration that said administration is in favor of temperance, and

Whereas, Advertising of any product is done for the avowed purpose of increasing sales, and

Whereas, It is contrary to common reason that by increasing sales of alcoholic liquors we can promote temperance in that respect, and

Whereas, Our present state administration has pledged itself in favor of temperance in this respect, and

Whereas, We believe that the advertising of said alcoholic liquors will induce our people to increase the consumption thereof, now therefore

Be It Resolved by the House of Representatives, the Senate concurring, That we memorialize and respectfully ask the Federal Congress to enact legislation which will prohibit the advertising of alcoholic liquors in any respect, and

Be It Further Resolved, That we respectfully ask the President of

the United States to use his influence in bringing about the enactment of such legislation, and

Be It Further Resolved, That a copy of this resolution be certified and transmitted by the Secretary of State to the President of the United States, to the Congressmen from the state of Iowa, and to the United States Senators from the state of Iowa.

CONSIDERATION OF HOUSE FILE 311 CONTINUED

Senator Geske offered the following amendment and moved its adoption:

Amend House File 311 by adding to the end of section three (3) thereof the following:

"e. Hotels or rooming houses, including dining rooms or cafes operated in connection therewith and by the same management."

President N. G. Kraschel returned to the chair.

Senator Anderson having appeared in the Senate Chamber, the call of the Senate was declared to be complete.

The question was, Shall the amendment be adopted?

Roll call was requested.

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

Ayes, 31:

Baldwin	Dewey	Knudson	Roelofs
Beardsley	Donohue	Mason	Schmidt
Bell of Crawford	Elthon	Meyer	Shangle
Bell of	Fisch	Millhone	Stanley
Des Moines	Geske	Moore	Stevens of
Berg	Grunewald	Mullaney	Wapello
Billingsley	Irwin	Parker	Valentine
Byers	Kimberly	Patterson	Wilson
Corwin			

Nays, 13:

Anderson	Goetsch	Malone	Shaw
Calhoun	Harrington	McArthur	Stevens of
Chrystal	Hopkins	Pendray	Decatur
Doze	Husted		

Absent or not voting, 6:

Aschenbrenner	Hush	Nelson	Reese
Driscoll	Miller		

The motion prevailed and the amendment was adopted.

Senator Chrystal offered the following amendment and moved its adoption:

Amend House File 311 by inserting the words "petroleum products" following the word "feed" in line 11 of section three (3) (c).

Senator Reese raised the point of order that the subject matter of the Chrystal amendment had been before the Senate previously and acted upon adversely. The chair ruled the point was well taken.

Senator Donohue offered the following amendment and moved its adoption:

Amend House File 311, section four (4), by striking the balance of said section commencing with line 166 of said section and by inserting in lieu thereof the following: "Payable on January 1, 1936, and on the first day of July, and the first day of January, each succeeding year thereafter, or within thirty (30) days after any person liable for such tax shall cease entirely to do business within the state of the kind on which the tax is imposed."

Amend House File 311 by striking from section four (4), lines 55 to 57 inclusive, and by striking from line 158 the period thereafter and inserting in lieu thereof the following: "The tax imposed by subsection 'b' hereafter shall be payable semi-annually commencing on July 1, 1935, and terminating January 1, 1936, and for each succeeding six (6) months period thereafter."

Amend House File 311 by striking all of section five (5), and inserting in lieu thereof the following:

"Sec. 5. Returns: Every person subject to the payment of a tax as provided in subsection 'b' of section four (4) hereof shall on or before January 1, 1936, and on or before the first day of July, and the first day of January, each succeeding year thereafter, file with the board a verified return in such form and manner as may be prescribed by the board showing the gross receipts of such person for the taxable period accompanied by the amount of tax due, provided, however, that the board may upon the request of any such person, and upon a proper showing thereof, grant an extension of thirty (30) days in which to make payment."

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 25:

Aschenbrenner	Donohue	Miller	Roelofs
Baldwin	Elthon	Millhone	Shangle
Berg	Geske	Moore	Stanley
Billingsley	Irwin	Nelson	Stevens of
Byers	Kimberly	Patterson	Wapello
Calhoun	Malone	Pendray	Valentine
Corwin	McArthur		

Nays, 25:

Anderson	Doze	Hush	Reese
Beardsley	Driscoll	Husted	Schmidt
Bell of Crawford	Fisch	Knudson	Shaw
Bell of	Goetsch	Mason	Stevens of
Des Moines	Grunewald	Meyer	Decatur
Chrystal	Harrington	Mullaney	Wilson
Dewey	Hopkins	Parker	

Absent or not voting, none.

The motion to amend was lost.

Senator Elthon offered the following amendment and moved its adoption:

Amend House File 311 by striking all of section four (4) commencing with line 48 to and including line 154 and inserting in lieu thereof the following:

1. One-twentieth (1/20) of one (1) per cent on that portion of the gross sales not in excess of one hundred thousand (100,000) dollars.

2. Two-twentieths (2/20) of one (1) per cent on that portion of the gross sales in excess of one hundred thousand (100,000) dollars but not in excess of two hundred thousand (200,000) dollars.

3. Three-twentieths (3/20) of one (1) per cent on that portion of the gross sales in excess of two hundred thousand (200,000) dollars but not in excess of three hundred thousand (300,000) dollars.

4. Four-twentieths (4/20) of one (1) per cent on that portion of the gross sales in excess of three hundred thousand (300,000) dollars but not in excess of four hundred thousand (400,000) dollars.

5. Five-twentieths (5/20) of one (1) per cent on that portion of the gross sales in excess of four hundred thousand (400,000) dollars but not in excess of one million (1,000,000) dollars.

6. A tax of one (1) per cent on that portion of the gross sales in excess of one million (1,000,000) dollars.

Senator Harrington raised the point of order that the subject matter of the Elthon amendment had been previously acted upon adversely by the Senate. The chair ruled the point was not well taken.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

Senate Concurrent Resolution 18, resolving that the Forty-sixth General Assembly adjourn, sine die, at five o'clock p. m. Tuesday, April 23, 1935.

VIRGIL LEKIN, *Chief Clerk.*

MOTION TO RECONSIDER FILED

MR. PRESIDENT: We move to reconsider the vote by which amendment by Nelson-Roelofs to section three (3) of House File 311 failed to be adopted.

M. MOORE

J. E. DOZE

PAUL ANDERSON.

CONSIDERATION OF HOUSE FILE 311 CONCLUDED

Senator Stevens of Wapello offered the following amendment to the amendment and moved its adoption:

Amend the pending Elthon amendment to House File 311 as follows: By striking the words and figures "two-twentieths (2/20)" and inserting "four-twentieths (4/20)", in Part 2.

Further amend by striking the words and figures "three-twentieths (3/20)" and inserting "six-twentieths (6/20)", in Part 3.

Further amend by striking the words and figures "four-twentieths (4/20)" and inserting "eight-twentieths (8/20)", in Part 4.

Further amend by striking the words and figures "five-twentieths (5/20)" and inserting "ten-twentieths (10/20)", in Part 5.

Further amend by striking the words and figures "one (1) per cent" and inserting "two (2) per cent", in Part 6.

The motion prevailed and the amendment to the amendment was adopted.

Senator Donohue moved that if the galleries displayed any further demonstration they should be cleared, which motion prevailed.

Senator Beardsley moved the previous question, which motion prevailed.

The question was, Shall the amendment as amended be adopted?

Roll call was requested.

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

Ayes, 19:

Baldwin	Elthon	Millhone	Stanley
Berg	Geske	Nelson	Stevens of
Byers	Irwin	Patterson	Wapello
Corwin	Kimberly	Pendray	Valentine
Donohue	McArthur	Shangle	Wilson

Nays, 31:

Anderson	Dewey	Hush	Mullaney
Aschenbrenner	Doze	Husted	Parker
Beardsley	Driscoll	Knudson	Reese
Bell of Crawford	Fisch	Malone	Roeoffs
Bell of	Goetsch	Mason	Schmidt
Des Moines	Grunewald	Meyer	Shaw
Billingsley	Harrington	Miller	Stevens of
Calhoun	Hopkins	Moore	Decatur
Chrystal			

Absent or not voting, none.

The motion to amend was lost.

Senator Valentine offered the following amendment and moved its adoption:

Amend House File 311 by striking all of section eleven (11) therefrom and renumbering the remaining sections.

The motion prevailed and the amendment was adopted.

Senator Stevens of Wapello moved that Senate Rules 21 and 24 be suspended at this time with reference to House File 311.

The question was, Shall Rules 21 and 24 be suspended?

On the question, Shall Rules 21 and 24 be suspended? the vote was:

Ayes, 44:

Anderson	Dewey	Irwin	Reese
Aschenbrenner	Doze	Kimberly	Roelofs
Baldwin	Driscoll	Knudson	Shangle
Beardsley	Elthon	Malone	Shaw
Bell of Crawford	Fisch	Mason	Stanley
Bell of	Geske	McArthur	Stevens of
Des Moines	Goetsch	Meyer	Decatur
Berg	Grunewald	Millhone	Stevens of
Billingsley	Harrington	Moore	Wapello
Byers	Hopkins	Mullaney	Valentine
Calhoun	Hush	Nelson	Wilson
Chrystal	Husted	Parker	

Nays, none.

Absent or not voting, 6:

Corwin	Miller	Pendray	Schmidt
Donohue	Patterson		

The motion prevailed and Rules 21 and 24 were suspended with reference to House File 311.

Senator Moore called up for consideration his motion to reconsider the vote by which the Nelson-Roelofs amendment to section three (3) of House File 311 failed to be adopted.

Senator Baldwin moved the previous question on the motion to reconsider, which motion prevailed.

The question was, Shall the motion to reconsider prevail?

On the question, Shall the motion to reconsider prevail? the vote was:

Ayes, 23:

Baldwin	Donohue	Knudson	Schmidt
Bell of Crawford	Doze	Millhone	Shangle
Bell of	Geske	Moore	Stevens of
Des Moines	Grunewald	Nelson	Wapello
Berg	Hopkins	Patterson	Valentine
Billingsley	Kimberly	Roelofs	Wilson
Byers			

Nays, 27:

Anderson	Driscoll	Irwin	Parker
Aschenbrenner	Elthon	Malone	Pendray
Beardsley	Fisch	Mason	Reese
Calhoun	Goetsch	McArthur	Shaw
Chrystal	Harrington	Meyer	Stanley
Corwin	Hush	Miller	Stevens of
Dewey	Husted	Mullaney	Decatur

Absent or not voting, none.

The motion to reconsider was lost.

Senator Valentine offered the following amendment and moved its adoption:

Amend House File 311 as follows:

Amend section three (3) by striking from line 8 the word "exclusively" and by striking from line 9 the words ", selling in this state products of their own raising."

By unanimous consent Senator Valentine withdrew the amendment.

Senator Beardsley moved the previous question on the main bill, which motion prevailed.

On motion of Senator Shangle, all speakers on the main bill were limited to a speaking period of five minutes.

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

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 43:

Anderson	Dewey	Husted	Parker
Aschenbrenner	Doze	Irwin	Reese
Baldwin	Driscoll	Kimberly	Roelofs
Beardsley	Elthon	Knudson	Schmidt
Bell of Crawford	Fisch	Malone	Shangle
Bell of	Geske	Mason	Shaw
Des Moines	Goetsch	McArthur	Stanley
Billingsley	Grunewald	Meyer	Stevens of
Byers	Harrington	Millhone	Decatur
Calhoun	Hopkins	Moore	Valentine
Chrystal	Hush	Mullaney	Wilson
Corwin			

Nays, 6:

Berg	Nelson	Pendray	Stevens of
Donohue	Patterson		Wapello

Absent or not voting, 1:

Miller

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

Senator Harrington moved that the vote by which House File 311 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

HOUSE FILE 311 MESSAGED TO HOUSE

Senator Harrington was granted unanimous consent to have House File 311 messaged to the House immediately.

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 substitute for House File 214, a bill for an act establishing the general fund for the state of Iowa, for the biennium beginning July 1, 1935.

VIRGIL LEKIN, *Chief Clerk.*

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE
FILE 320

As members of the conference committee on Senate File 320, the President appointed Senators Driscoll, Baldwin, Donohue and Byers.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 176, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 323, 340 and 372.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 176, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 323, 340 and 372.

BILLS SENT TO THE GOVERNOR

Senator Calhoun, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully report they have on this 23rd day of April, 1935, sent to the Governor for his

approval Senate Files 176, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 323, 340 and 372.

JOHN N. CALHOUN, *Chairman.*

Passed on file.

HOUSE MESSAGES CONSIDERED

Substitute for House File 214, a bill for an act to establish the general fund for the state of Iowa, for the biennium beginning July 1, 1935, and ending June 30, 1937, and to appropriate therefrom for all departments and various divisions thereof, of the state of Iowa, for all purposes provided by law, for the said biennium.

The bill was read first and second times and referred to the committee on appropriations.

House File 179, a bill for an act to amend sections twelve thousand nine hundred thirty-seven (12937), twelve thousand nine hundred thirty-eight (12938) and twelve thousand nine hundred fifty (12950), Code, 1931, and to repeal section twelve thousand nine hundred thirty-six (12936), Code, 1931, and enact a substitute therefor, all relating to the sale and carrying of dangerous and concealed weapons and the violation thereof.

The bill was read first and second times and referred to the sifting committee.

House File 496, a bill for an act to make an appropriation for the board of cosmetology examiners.

The bill was read first and second times and referred to the committee on appropriations.

House File 500, a bill for an act to make an appropriation to the bureau of labor for the purpose of carrying out the provisions of chapter sixteen (16), acts of the Forty-fifth General Assembly, Extraordinary Session.

The bill was read first and second times and referred to the committee on appropriations.

House File 501, a bill for an act to make appropriations to Mrs. Oscar Barnes, O. D. Albrecht, O. Evald Olson, Adolph Wiese, Martin Borlaug, J. C. Robinson, Henry G. Peterson, Everett Harris, Gordon L. Elliott, and W. C. Johnson.

The bill was read first and second times and referred to the committee on appropriations.

House File 502, a bill for an act to make an emergency appropriation for the purpose of paying the necessary expenses of the vocational summer school for the adult blind who are residents of the state.

The bill was read first and second times and referred to the committee on appropriations.

CALL OF THE SENATE FILED

MR. PRESIDENT: We, the undersigned, request a call of the Senate for the consideration of the motion to reconsider Senate File 124 and/or the consideration of the substitute for House File 214, its companion bill.

M. MOORE.

PAUL SCHMIDT.

GEO. A. WILSON.

G. W. PATTERSON.

PAUL L. MILLHONE.

GEO. M. HOPKINS.

H. L. IRWIN.

GEO. PARKER.

D. W. KIMBERLY.

I. H. KNUDSON.

M. X. GESKE.

CHRIS REESE.

L. H. MEYER.

J. BERG.

MOTION TO RECONSIDER FILED

I move to reconsider the vote by which Senate File 124, as amended, failed to pass the Senate.

GEO. A. WILSON.

REPORTS OF COMMITTEES

Senator Stevens of Wapello submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred the substitute for House File 214, a bill for an act to establish the general fund for the state of Iowa, for the biennium beginning July 1, 1935, and ending June 30, 1937, and to appropriate therefrom for all departments and various divisions thereof, of the state of Iowa, for all purposes provided by law, for the said biennium, begs leave to report it has had the same under consideration and returns the bill without recommendation.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred House File 364, a bill for an act to make an appropriation for the emergency needs of distressed school districts and to provide for the manner of expenditure of said funds, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 388, a bill for an act to make appropriations to Maud Emerson Barnhart, Wm. A. Emerson, administrator, Ray Lowrey, Fred Spats, Harry Lund, R. W. Maples, Earl Connell, Ivan A. Connell, Orvil Connell, Rollin Connell, Ross Connell, Mrs. J. W. Kinney, J. W. Daniels, H. F. Carr and Major Elton L. Titus, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 398, a bill for an act to make an appropriation to Homer Ashmore, Blanche Capps, Jones county, Iowa, Ray Murtoogh, Bernadine Mitzkowski, Minnie Baars, Stella Kayser, Olga Gomez, Carrie Louise Baars, and Esther Mason, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 399, a bill for an act to make appropriations to Leo E. Mooney, Everest Agency, F. W. Bearman, James Z. May, F. D. Hamilton, J. Q. Lauer, Mrs. Anna M. Herrman, G. R. Cooper, J. A. Murphy, E. E. Duer, H. H. Spayde Agency, Ray W. Miller Co., Stanley Hoyne, A. J. Keding Agency, H. C. Modlin Agency, etc., begs leave to report it has had the same under consideration and returns the bill without recommendation.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 401, a bill for an act to make an appropriation to Earl Wymore, begs leave to report it has had the same under consideration and recommends the same do pass. ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 402, a bill for an act relating to a boundary commission, its powers, duties and compensation, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was re-

ferred Senate File 405, a bill for an act to provide for an annual levy upon the valuation of the taxable property of the state in order to provide a fund to be known as the "Iowa emergency relief fund" and further to provide for the administration of said fund, begs leave to report it has had the same under consideration and returns the bill without recommendation.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 406, a bill for an act to amend chapter eighty-two (82), acts of the Forty-fifth General Assembly, Extraordinary Session, to provide and appropriate funds for the Iowa emergency relief administration and for the Iowa emergency conservation works for the period commencing July 1, 1935, etc., begs leave to report it has had the same under consideration and returns the bill without recommendation.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred House File 472, a bill for an act to authorize the board of control of state institutions to use from the funds on hand from the "maintenance of industries of the men's reformatory", etc., begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred House File 492, a bill for an act to make an appropriation to W. J. Conley, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred House File 493, a bill for an act to make an appropriation to James Spain, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred House File 496, a bill for an act to make an appropriation for the

board of cosmetology examiners, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred House File 500, a bill for an act to make an appropriation to the bureau of labor for the purpose of carrying out the provisions of chapter sixteen (16), acts of the Forty-fifth General Assembly, Extraordinary Session, begs leave to report it has had the same under consideration and returns the bill without recommendation.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred House File 501, a bill for an act to make appropriations to Mrs. Oscar Barnes, O. D. Albrecht, O. Evald Olson, Adolph Wiese, Martin Borlaug, J. C. Robinson, Henry G. Peterson, Everett Harris, Gordon L. Elliott, and W. C. Johnson, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred House File 502, a bill for an act to make an emergency appropriation for the purpose of paying the necessary expenses for the vocational summer school for the adult blind who are residents of the state, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend House File 203, section four (4), as follows: By inserting in subsection twelve (12), line 84, after the word "court" the following: "of the county in which such applicant resides." L. T. SHANGLE.

On motion of Senator Wilson, the Senate recessed until the fall of the gavel.

The Senate came to order at the fall of the gavel, President N. G. Kraschel presiding.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had signed Senate File 159 on April 22, 1935.

CONSIDERATION OF HOUSE FILE 67 RESUMED

House File 67, a bill for an act to repeal section fifty hundred seventeen-a one (5017-a1), Code, 1931, and enacting a substitute therefor, pertaining to a highway patrol and enforcement of provisions of same, was again taken up for consideration.

Discussion of the pending Calhoun-Schmidt amendment to House File 67 and the Shangle amendment thereto, as found on pages 1067-1069 of the Senate Journal, was resumed.

By unanimous consent Senator Shangle withdrew his pending amendment to the Calhoun-Schmidt amendment.

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

Roll call was requested.

The question was, Shall the amendment be adopted?

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

Ayes, 18:

Aschenbrenner	Hush	Parker	Stevens of
Berg	Kimberly	Patterson	Decatur
Calhoun	McArthur	Roelofs	Stevens of
Chrystal	Miller	Schmidt	Wapello
Donohue	Nelson	Stanley	Valentine

Nays, 27:

Anderson	Doze	Husted	Mullaney
Baldwin	Driscoll	Knudson	Pendray
Beardsley	Fisch	Malone	Reese
Bell of Crawford	Goetsch	Mason	Shangle
Billingsley	Grunewald	Meyer	Shaw
Corwin	Harrington	Millhone	Wilson
Dewey	Hopkins	Moore	

Absent or not voting, 5:

Bell of	Byers	Geske	Irwin
Des Moines	Elthon		

The motion to amend was lost.

Senator Mason offered the following amendment and moved its adoption:

Amend House File 67, line 10, section ten (10), by striking the words and figures "one hundred twenty-five (125)" and insert in lieu thereof: "one hundred fifty (150)."

Also amend House File 67, line 6, section ten (10), by striking the figures "100.00" and insert in lieu thereof "125.00."

The motion to amend was lost.

Senator Stanley offered the following amendment and moved its adoption:

Amend the Calhoun amendment to House File 67 by adding after section twenty-two (22) of said amendment another section as section twenty-three (23) to read as follows: "Sec. 23. It shall be unlawful for any member of the highway patrol, while on duty as such, to wear any uniform of the United States army, navy, marine corps, or the national guard, or any part of such uniform, or a uniform or a part of a uniform similar thereto within the state of Iowa. Anyone violating the provisions of this act is guilty of a misdemeanor and upon conviction shall be punished as provided by law."

Further amend said amendment by renumbering the remaining section.

Senator Stanley was granted unanimous consent to correct the amendment by striking from said amendment lines 1, 2 and all that part of line 3 to and including the figures "23" as found the second time in line 3, and inserting in lieu thereof the following: "Amend House File 67 by adding after section twelve (12) another section as section thirteen (13) to read as follows: 'Sec. 13' "

The motion prevailed and the amendment as corrected was adopted.

Senator Shangle offered the following amendment and moved its adoption:

Amend House File 67, section seven (7), as follows:

After the word "power" in line 5 insert the words "and it shall be their duty."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend the title of House File 67 by striking from line 2 the word "enacting" and substituting therefor the words "To enact."

Further amend the title by inserting following the word "highway" in line 2 the word "safety."

Further amend the title by striking from line 3 the words "and enforce"

ment of provisions of same", and by adding a period following the word "patrol."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Strike all of section three (3) of House File 67 and substitute therefor the following:

"Sec. 3. The secretary of state is hereby authorized to employ not to exceed fifty-three (53) men as an Iowa highway safety patrol, and not more than fifty-one (51) per cent of such employees shall at any time be members of the same political party."

As a substitute, Senator Stanley offered the following amendment and moved its adoption:

Amend section three (3) of House File 67 by striking the comma after the word "patrol" in the second line of said section and placing a period in lieu thereof, and striking the remainder of said section.

Roll call was requested.

The question was, Shall the substitution be made?

On the question, Shall the substitution be made? the vote was:

Ayes, 11:

Aschenbrenner	Hush	Mullaney	Stanley
Berg	Kimberly	Patterson	Valentine
Calhoun	Malone	Schmidt	

Nays, 24:

Baldwin	Goetsch	Knudson	Reese
Beardsley	Grunewald	Mason	Shangle
Billingsley	Harrington	Meyer	Shaw
Dewey	Hopkins	Millhone	Stevens of
Doze	Husted	Moore	Decatur
Driscoll	Irwin	Parker	Wilson
Elthon			

Absent or not voting, 15:

Anderson	Chrystal	Geske	Pendray
Bell of Crawford	Corwin	McArthur	Roelofs
Bell of	Donohue	Miller	Stevens of
Des Moines	Fisch	Nelson	Wapello
Byers			

The motion to substitute was lost, the Valentine motion to amend prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend section four (4) by striking the word "enlistment" in line 3 and substituting therefor the word "appointment."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend section six (6) by striking from line 6 the word "of" where it appears the first time and substituting therefor the word "for."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend section seven (7) by inserting following the word "shall" in line 4 the word "also."

Further amend said section by striking from lines 4 and 5 the words "in addition to specific police powers mentioned above."

Further amend said section by striking from line 2 the word "provision" and substituting therefor the word "provisions."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend section five (5) by striking from lines 5 and 6 the words "The violation of the provisions of this section shall constitute a misdemeanor." and substituting therefor the following: "Anyone violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be punished as provided by law."

The motion prevailed and the amendment was adopted.

Senator Elthon offered the following amendment and moved its adoption:

Amend House File 67 by striking in line 3 of section three (3) the words and figures "fifty-one (51)" and inserting in lieu thereof the word and figures "sixty (60)."

Roll call was requested.

The question was, Shall the amendment be adopted?

On the question, Shall the amendment be adopted? the vote was:

Ayes, 23:

Beardsley	Driscoll	Knudson	Roelofs
Bell of	Elthon	McArthur	Schmidt
Des Moines	Grunewald	Malone	Stanley
Berg	Harrington	Miller	Stevens of
Calhoun	Hush	Nelson	Decatur
Chrystal	Kimberly	Pendray	Valentine
Donohue			

Nays, 22:

Anderson	Dewey	Meyer	Patterson
Aschenbrenner	Doze	Millhone	Reese
Baldwin	Goetsch	Moore	Shangle
Billingsley	Hopkins	Mullaney	Shaw
Byers	Husted	Parker	Wilson
Corwin	Mason		

Absent or not voting, 5:

Bell of Crawford	Geske	Irwin	Stevens of
Fisch			Wapello

The motion prevailed and the amendment was adopted.

Senator Valentine moved that the bill as amended be read a third time now and the bill as amended be placed on its passage, which motion prevailed, and the bill as amended was read a third time.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 44:

Anderson	Dewey	Knudson	Reese
Aschenbrenner	Donohue	Malone	Roelofs
Baldwin	Doze	Mason	Schmidt
Beardsley	Driscoll	McArthur	Shangle
Bell of Crawford	Elthon	Meyer	Shaw
Bell of	Geske	Millhone	Stevens of
Des Moines	Goetsch	Moore	Decatur
Berg	Grunewald	Mullaney	Stevens of
Billingsley	Harrington	Nelson	Wapello
Byers	Hopkins	Parker	Valentine
Calhoun	Husted	Patterson	Wilson
Corwin	Kimberly	Pendray	

Nays, none.

Absent or not voting, 6:

Chrystal	Hush	Miller	Stanley
Fisch	Irwin		

The bill as amended having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Valentine moved that the vote by which House File 67 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

HOUSE FILE 67 MESSAGED TO THE HOUSE

Senator Valentine was granted unanimous consent that House File 67 be messaged to the House immediately.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 406, a bill for an act legalizing a certain payment made by the county treasurer of Wright county, Iowa.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 428, a bill for an act creating a state board of eugenics.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 443, a bill for an act legalizing certain contracts and the acts of the board of supervisors of Marion county.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 184, a bill for an act making permanent a temporary transfer of funds in Clayton county.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 185, a bill for an act making permanent a temporary transfer of funds in Clayton county.

VIRGIL LEKIN, *Chief Clerk.*

THIRD READING OF BILLS

By unanimous consent granted Senator Wilson, House File 364, a bill for an act to make an appropriation for the emergency needs of distressed school districts and to provide for the manner of expenditure of said funds, with report of committee recommending indefinite postponement, was taken up and considered.

Senator Wilson moved that the committee report be adopted.

The question was, Shall the committee report be adopted?

Roll call was requested.

On the question, Shall the committee report be adopted? the vote was:

Ayes, 3:

Dewey	Malone	Shangle
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Nays, 37:

Anderson	Bell of	Chrystal	Geske
Aschenbrenner	Des Moines	Corwin	Goetsch
Baldwin	Berg	Doze	Grunewald
Beardsley	Billingsley	Elthon	Harrington
Bell of Crawford	Byers	Fisch	Hopkins

Hush	McArthur	Parker	Stevens of
Irwin	Meyer	Patterson	Decatur
Kimberly	Moore	Pendray	Valentine
Knudson	Mullaney	Reese	Wilson
Mason	Nelson	Shaw	

Absent or not voting, 10:

Calhoun	Husted	Roelofs	Stevens of
Donohue	Miller	Schmidt	Wapello
Driscoll	Millhone	Stanley	

The committee report was rejected.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading, and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 47:

Anderson	Donohue	Kimberly	Pendray
Aschenbrenner	Doze	Knudson	Reese
Baldwin	Driscoll	Mason	Roelofs
Beardsley	Elthon	McArthur	Schmidt
Bell of Crawford	Fisch	Meyer	Shaw
Bell of	Geske	Miller	Stanley
Des Moines	Goetsch	Millhone	Stevens of
Berg	Grunewald	Moore	Decatur
Billingsley	Harrington	Mullaney	Stevens of
Byers	Hopkins	Nelson	Wapello
Calhoun	Hush	Parker	Valentine
Corwin	Husted	Patterson	Wilson
Dewey	Irwin		

Nays, 1:

Shangle

Absent or not voting, 2:

Chrystal Malone

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 23, relating to the presentation of chairs to the presiding officers of the legislature. VIRGIL LEKIN, *Chief Clerk*.

HOUSE CONCURRENT RESOLUTION 23

Be It Resolved by the House of Representatives, the Senate concurring: That the Speaker of the House and the President of the Senate be presented with the chairs occupied by them during the session, and that the custodian of the state house be instructed to crate such chairs and deliver them to the express office in Des Moines, Iowa, addressed to the persons mentioned herein.

By unanimous consent granted Senator Beardsley the rules were suspended and House Concurrent Resolution 23 was taken up.

On motion of Senator Beardsley, House Concurrent Resolution 23 was adopted.

RESPONSE BY PRESIDENT KRASCHEL

I appreciate the generosity and kindness of the members of the General Assembly in passing this resolution, but I feel that I must decline in view of the fact that I already have the chair which was presented me in the last session at which I presided.

EXECUTIVE SESSION

On motion of Senator Stevens of Wapello, the Senate resolved itself into executive session.

The Senate confirmed the following appointments: Curtis L. McKinnon, as a member of the highway commission to begin July 1, 1935 and to end June 30, 1939; Anna B. Lawther of Dubuque, as a member of the state board of education, to begin July 1, 1935 and to end June 30, 1941.

The Senate arose from executive session and resumed regular session.

On motion of Senator Wilson, the Senate recessed until the fall of the gavel.

The Senate came to order at the fall of the gavel, President N. G. Kraschel presiding.

HOUSE FILE 472 SUBSTITUTED FOR SENATE FILE 369

Senate File 369, a bill for an act to authorize the board of control of state institutions to use from the "maintenance and establishing of industries fund," the sum of fifty thousand (50,000) dollars for the building of a hospital building and equipping the same, and

the sum of four thousand (4,000) dollars for the erection of corn cribs and granaries at the men's reformatory at Anamosa, Iowa, was taken up and considered.

The bill was read for information.

By unanimous consent granted Senator Stanley, House File 472, a bill for an act to authorize the board of control of state institutions to use from the funds on hand from the "maintenance of industries of men's reformatory" the sum of sixty thousand (60,000) dollars for building a hospital building and equipping same, the erection of corn cribs and granaries and the purchase of real estate consisting of certain lots at the men's reformatory at Anamosa, Iowa, was substituted for Senate File 369, and the report of the committee recommending passage was adopted.

The bill was read for information.

Senator Miller moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 44:

Anderson	Doze	Malone	Reese
Aschenbrenner	Driscoll	Mason	Schmidt
Baldwin	Elthon	McArthur	Shangle
Beardsley	Fisch	Meyer	Shaw
Bell of	Goetsch	Miller	Stanley
Des Moines	Grunewald	Millhone	Stevens of
Berg	Harrington	Moore	Decatur
Billingsley	Hopkins	Mullaney	Stevens of
Calhoun	Hush	Nelson	Wapello
Corwin	Husted	Parker	Valentine
Dewey	Irwin	Patterson	Wilson
Donohue	Knudson	Pendray	

Nays, none.

Absent or not voting, 6:

Bell of	Crawford	Chrystal	Kimberly	Roelofs
Byers		Geske		

The bill having received a two-thirds majority was declared to have passed the Senate and the title was agreed to.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 85, 287, 476, 477, 478, 480, 482 and 483.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files 85, 287, 476, 477, 478, 480, 482 and 483.

THIRD READING OF BILLS

Senate File 370, a bill for an act to make an emergency appropriation for armory rental allowance, covering additional rental of new armories constructed in the state of Iowa since October 1, 1934, was taken up and considered.

The bill was read for information.

Senator Stanley moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 42:

Anderson	Driscoll	Malone	Reese
Aschenbrenner	Elthon	McArthur	Schmidt
Baldwin	Fisch	Meyer	Shangle
Beardsley	Goetsch	Miller	Shaw
Bell of	Grunewald	Millhone	Stanley
Des Moines	Harrington	Moore	Stevens of
Berg	Hopkins	Mullaney	Decatur
Calhoun	Hush	Nelson	Stevens of
Corwin	Irwin	Parker	Wapello
Dewey	Kimberly	Patterson	Valentine
Donohue	Knudson	Pendray	Wilson
Doze			

Nays, none.

Absent or not voting, 8:

Bell of Crawford	Byers	Geske	Mason
Billingsley	Chrystal	Husted	Roelofs

The bill having received a two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stanley moved that the vote by which Senate File 370 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE 370 MESSAGED TO HOUSE

Unanimous consent was granted Senator Stanley to have Senate File 370 messaged to the House immediately.

HOUSE AMENDMENTS CONSIDERED

Senator McArthur called up for consideration Senate File 113, amended by the House and moved that the Senate concur in the amendments, as found on page 777 of the Senate Journal.

Senator Byers moved that action on Senate File 113 be deferred.

Roll call was requested.

The question was, Shall action be deferred?

On the question, Shall action be deferred, the vote was:

Ayes, 6:

Baldwin	Bell of Des Moines	Byers Moore	Mullaney Shaw
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Nays, 35:

Aschenbrenner	Elthon	Malone	Pendray
Beardsley	Fisch	Mason	Reese
Berg	Geske	McArthur	Roelofs
Billingsley	Goetsch	Meyer	Shangle
Corwin	Grunewald	Miller	Stanley
Dewey	Hopkins	Millhone	Stevens of
Donohue	Hush	Nelson	Decatur
Doze	Husted	Parker	Valentine
Driscoll	Knudson	Patterson	Wilson

Absent or not voting, 9:

Anderson	Chrystal	Kimberly	Stevens of
Bell of Crawford	Harrington	Schmidt	Wapello
Calhoun	Irwin		

The motion to defer action was lost.

The question was, Shall the Senate concur?

On the question, Shall the Senate concur? the vote was:

Ayes, 42:

Aschenbrenner	Driscoll	Malone	Reese
Beardsley	Elthon	Mason	Roelofs
Bell of Crawford	Geske	McArthur	Schmidt
Bell of	Goetsch	Meyer	Shangle
Des Moines	Grunewald	Miller	Shaw
Berg	Harrington	Millhone	Stanley
Billingsley	Hopkins	Mullaney	Stevens of
Calhoun	Hush	Nelson	Decatur
Corwin	Husted	Parker	Stevens of
Dewey	Kimberly	Patterson	Wapello
Donohue	Knudson	Pendray	Valentine
Doze			

Nays, 1:

Moore

Absent or not voting, 7:

Anderson	Byers	Fisch	Wilson
Baldwin	Chrystal	Irwin	

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Nelson moved that the bill as amended be given its final reading and be placed on its passage, which motion prevailed, and the bill as amended was read again.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 41:

Aschenbrenner	Doze	Kimberly	Pendray
Beardsley	Driscoll	Malone	Reese
Bell of Crawford	Elthon	Mason	Roelofs
Bell of	Fisch	McArthur	Schmidt
Des Moines	Geske	Meyer	Shangle
Berg	Goetsch	Miller	Shaw
Billingsley	Grunewald	Millhone	Stevens of
Calhoun	Harrington	Mullaney	Decatur
Corwin	Hopkins	Nelson	Stevens of
Dewey	Hush	Parker	Wapello
Donohue	Husted	Patterson	Valentine

Nays, none:

Absent or not voting, 9:

Anderson	Chrystal	Knudson	Stanley
Baldwin	Irwin	Moore	Wilson
Byers			

The bill as amended having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

REPORT OF COMMITTEE ON EXTRA HELP

Senator Kimberly, from the committee on extra help, submitted the following report and moved its adoption:

We, your joint committee on extra help, respectfully report that under circumstances as now prevail we feel that the services of the extra help in the law and legislative reference library and in the economics and sociology division of the state library will not be needed after April 23, 1935.

WM. TREIMER.

M. C. FALVEY.

LA MAR FOSTER.

On the part of the House.

D. W. KIMBERLY.

PAUL W. SCHMIDT.

VINCENT F. HARRINGTON.

On the part of the Senate.

The motion prevailed and the committee report was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 62, a bill for an act legalizing a certain tax levy made by council of Dallas Center.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 201, a bill for an act legalizing the compensation paid to county attorneys in counties having a population less than 60,000.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 213, a bill for an act legalizing renewal of the corporate status of the Cumberland Telephone Company.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 343, a bill for an act legalizing renewal of the corporate status of the Lone Rock Telephone Company.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 364, a bill for an act legalizing an action of the board of supervisors of Dallas county, Iowa.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 377, a bill for an act relating to the eradication and control of noxious weeds.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 503, a bill for an act legalizing the renewal of the corporate period of New Nonpareil Company.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 504, a bill for an act legalizing the renewal of the corporate period of the Ames Tribune Publishing Company of Ames, Iowa.

VIRGIL LEKIN, *Chief Clerk.*

MOTION TO RECONSIDER CONSIDERED

Senator Stevens of Wapello called up his motion to reconsider the vote by which Senate File 124 failed to pass the Senate, as found on page 1188 of the Senate Journal.

A call of the Senate having been filed, roll call revealed all members of the Senate were present.

The question was, Shall the motion to reconsider prevail?

On the question, Shall the motion to reconsider prevail? the vote was:

Ayes, 43:

Anderson	Dewey	Irwin	Reese
Baldwin	Doze	Kimberly	Roelofs
Beardsley	Driscoll	Knudson	Schmidt
Bell of Crawford	Elthon	Mason	Shangle
Bell of	Fisch	McArthur	Shaw
Des Moines	Geske	Meyer	Stanley
Berg	Goetsch	Millhone	Stevens of
Billingsley	Grunewald	Moore	Decatur
Byers	Harrington	Mullaney	Stevens of
Calhoun	Hopkins	Parker	Wapello
Chrystal	Hush	Patterson	Wilson
Corwin	Husted		

Nays, none:

Absent or not voting, 7:

Aschenbrenner	Malone	Nelson	Valentine
Donohue	Miller	Pendray	

The motion to reconsider prevailed.

Senator Stevens of Wapello called up his motion to reconsider the vote by which Senate File 124 went to its third reading, as found on page 1188 of the Senate Journal.

The motion to reconsider prevailed.

Senator Stevens of Wapello moved to substitute House File 214, as amended and passed by the House, for Senate File 124 as reconsidered.

As a substitute, Senator Wilson moved that the Senate proceed to consider House File 214.

The motion to substitute prevailed, the substitution was made and the substitute motion prevailed.

Senator Patterson moved that the Senate strike all after the enacting clause of House File 214 and substitute in lieu thereof all after the enacting clause of Senate File 124, as it appeared at the time the vote on the passage of Senate File 124 was taken.

Senator Millhone moved the previous question on the pending motion, which motion prevailed.

Roll call was requested.

The question was, Shall the substitution be made?

On the question, Shall the substitution be made? the vote was:

Ayes, 29:

Aschenbrenner	Byers	Hopkins	Moore
Baldwin	Calhoun	Husted	Nelson
Beardsley	Chrystal	Irwin	Parker
Bell of Crawford	Corwin	Kimberly	Patterson
Bell of	Donohue	Knudson	Roelofs
Des Moines	Geske	McArthur	Schmidt
Berg	Grunewald	Millhone	Wilson
Billingsley	Harrington		

Nays, 21:

Anderson	Goetsch	Mullaney	Stevens of
Dewey	Hush	Pendray	Decatur
Doze	Malone	Reese	Stevens of
Driscoll	Mason	Shangle	Wapello
Elthon	Meyer	Shaw	Valentine
Fisch	Miller	Stanley	

Absent or not voting, none.

The motion to substitute prevailed and the substitution was made.

Senator Patterson moved that House File 214, as substituted, be read a third time and placed on its passage, which motion prevailed, and the bill as substituted was read again.

Senator Hopkins moved the previous question, which motion prevailed.

The question was, Shall the bill as substituted pass?

On the question, Shall the bill as substituted pass? the vote was:

Ayes, 24:

Aschenbrenner	Byers	Donohue	Hopkins
Baldwin	Calhoun	Geske	Husted
Berg	Corwin	Harrington	Irwin

Kimberly Knudson McArthur	Millhone Moore Nelson	Parker Patterson Roelofs	Schmidt Valentine Wilson
Nays, 26:			
Anderson Beardsley Bell of Crawford Bell of Des Moines Billingsley Chrystal	Dewey Doze Driscoll Elthon Fisch Goetsch Grunewald Hush	Malone Mason Meyer Miller Mullaney Pendray Reese	Shangle Shaw Stanley Stevens of Decatur Stevens of Wapello

Absent or not voting, none.

Rule 8 was invoked.

The bill as substituted not having received a constitutional majority was declared to have failed to pass the Senate.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 273, a bill for an act relating to liens accruing to the benefit of the old age pension fund.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 506, a bill for an act relating to public deposits.

Also: That the House has adopted the following joint committee report in which the concurrence of the Senate is asked:

Joint committee report relating to discontinuance of extra legislative help.

VIRGIL LEKIN, *Chief Clerk.*

MOTION TO RECONSIDER

Senator Beardsley moved to reconsider the vote by which House File 214 failed to pass the Senate.

Senator Mason moved that action on House File 214 be deferred.

Senator Mason was granted unanimous consent to withdraw his motion.

Senator Irwin moved that the call of the Senate be raised.

Senator Baldwin moved that the Senate recess until the fall of the gavel.

Roll call was requested.

The question was, Shall the Senate recess?

On the question, Shall the Senate recess? the vote was:

Ayes, 15:

Anderson	Harrington	Knudson	Schmidt
Baldwin	Husted	McArthur	Valentine
Donohue	Irwin	Parker	Wilson
Geske	Kimberly	Patterson	

Nays, 35:

Aschenbrenner	Chrystal	Hush	Reese
Beardsley	Corwin	Malone	Roelofs
Bell of	Dewey	Mason	Shangle
Crawford	Doze	Meyer	Shaw
Bell of	Driscoll	Miller	Stanley
Des Moines	Elthon	Millhone	Stevens of
Berg	Fisch	Moore	Decatur
Billingsley	Goetsch	Mullaney	Stevens of
Byers	Grunewald	Nelson	Wapello
Calhoun	Hopkins	Pendray	

Absent or not voting, none.

The motion to recess was lost.

The motion by Senator Irwin, that the call of the Senate be raised, prevailed.

HOUSE FILE 502 SUBSTITUTED FOR SENATE FILE 371

Senate File 371, a bill for an act to make an emergency appropriation for the purpose of paying the necessary expenses of the vocational summer school for the adult blind who are residents of this state, was taken up and considered.

The bill was read for information.

By unanimous consent granted Senator Moore, House File 502, a bill for an act to make an emergency appropriation for the purpose of paying the necessary expenses of the vocational summer school for the adult blind who are residents of the state, was substituted for Senate File 371.

The bill was read for information.

Senator Moore moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 42:

Anderson	Doze	Kimberly	Parker
Aschenbrenner	Driscoll	Knudson	Pendray
Baldwin	Elthon	Malone	Roelofs
Beardsley	Fisch	Mason	Schmidt
Bell of	Geske	McArthur	Shangle
Des Moines	Goetsch	Meyer	Shaw
Berg	Grunewald	Miller	Stevens of
Billingsley	Harrington	Millhone	Decatur
Calhoun	Hopkins	Moore	Stevens of
Corwin	Husted	Mullaney	Wapello
Dewey	Irwin	Nelson	Wilson
Donohue			

Nays, none:

Absent or not voting, 8:

Bell of Crawford	Chrystal	Patterson	Stanley
Byers	Hush	Reese	Valentine

The bill having received a two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Moore moved that the vote by which House File 502 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The following resolution was filed:

SENATE RESOLUTION 4

Be It Resolved by the Senate of the Forty-sixth General Assembly: That such members as desire to purchase the chairs occupied by them during the session, be permitted to purchase said chairs from the Secretary of the executive council at the price of ten (10) dollars and that the custodian of the state house be instructed to crate said chairs and deliver them to the express office in Des Moines addressed to said purchaser.

PAUL SCHMIDT.

EXPLANATION OF VOTE ON HOUSE FILE 311

I wish to say at the outset that I had hoped a chain store tax based on the precedence of other states and equitable both in purpose and effect could have been worked out by amendment and such a bill I would have supported.

I could not support the bill as passed for the following reasons:

First, the rates in the higher brackets are confiscatory and if the bill is sustained by the courts it will undoubtedly result as the proponents desire, in the elimination of a great number of chain operated stores, including a goodly number of small home owned chains.

If this elimination is attained it will undoubtedly be first noticed by small communities where volume of business will not warrant the continuance of a store subjected to the tax. The result will be to further centralize merchandising in the more populous centers, which are already

beneficiaries of our system of improved highways and modern methods of transportation. This elimination will also result in the consuming public resorting to a greater extent to mail order houses, thereby losing the state revenue now derived from the retail sales tax. Furthermore if this tax becomes effective it will ultimately lodge with the consumers and will in effect be an additional sales tax indirectly passed to the consumers, as are the various business and property taxes now levied in various forms.

In my opinion the revenue derived from enforcement will be disappointing, the diversion of business from local to populous centers and to out of state mail order chains will be material, unemployment in Iowa will increase because of centralization and diversion of business and finally the reaction of the buying public to increased prices, which must inevitably reflect the imposition of this tax, will be unfavorable.

FRED W. NELSON.

MOTIONS TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which House File 214 failed to pass the Senate.

WM. S. BEARDSLEY.

MR. PRESIDENT: I move to reconsider the vote by which House File 214 was passed to its third reading.

WM. S. BEARDSLEY.

MR. PRESIDENT: I move to reconsider the vote by which the Patterson motion, to substitute the subject matter of Senate File 124 for that of House File 214, was adopted.

WM. S. BEARDSLEY.

REPORT OF COMMITTEE

MR. PRESIDENT: Your committee appointed to prepare resolutions commemorating the life and services of the late Honorable A. G. Dotts of Corydon, Iowa, begs leave to submit the following report:

HONORABLE A. G. DOTTS

Mr. Dotts was born may 24, 1870, on a farm near Bethlehem, Iowa, and passed away in the home of his sister, Mrs. S. W. Ewers at Corydon, June 1, 1933, at the age of sixty-three (63) years and eight (8) days.

He was engaged in farming and stockraising until December, 1908, when he and his widowed mother moved to Corydon where he took charge of the county auditor's office and served four (4) years. He was then elected mayor of the town of Corydon and served three (3) years. In 1922 he was elected representative from Wayne county. In 1924 he was elected Senator from the fourth district, which included Wayne and Lucas counties, and served as Senator during the Forty-first, Forty-second and Forty-second, Extra Session.

Therefore, Be It Resolved by the Senate of the Forty-sixth General Assembly: That in the passing of the Hon. A. G. Dotts the state has lost an honorable and valuable citizen, a man of high ideals in Christian living and useful citizenship.

Be It Further Resolved: That a copy of these resolutions be spread

upon the Journal of the Senate and an enrolled copy sent to the surviving members of the family.

J. E. DOZE.
L. T. SHANGLE.
PAUL L. MILLHONE.

CALL OF THE SENATE FILED

We, the undersigned, request a call of the Senate on Senate File 124 and House File 214.

C. E. MALONE.	O. E. HUSTED.
FRANK M. STEVENS.	L. T. SHANGLE.
SAM D. GOETSCH.	E. P. CORWIN.
LEO ELTHON.	M. MOORE.
CLAUDE STANLEY.	T. W. MULLANEY.
T. F. DRISCOLL.	E. I. MASON.
GEO. A. WILSON.	H. J. GRUNEWALD.
L. H. MEYER.	ROY E. STEVENS.

AMENDMENTS FILED

Amend Senate Concurrent Resolution 21 by striking from paragraph three (3) all of lines 3, 4, 5 and 6, and inserting in lieu thereof the following:

"Five (5) members of the committee on federal co-ordination of the Senate, appointed by the President of the Senate.

"Five (5) members of the committee on federal co-ordination of the House of Representatives, appointed by the Speaker of the House, and

"Five (5) officials of the state named by the Governor, one (1) of whom shall be designated by him as the chairman of the commission."

GARRITT E. ROELOFS.

Amend Senate File 395 by striking out section seven (7) thereof, and inserting in lieu thereof the following:

"Insofar as the provisions of this act may conflict with any other act or parts thereof the provisions of this act shall control."

V. F. HARRINGTON.

Amend the substitute for House File 214 by striking from section fifty-six (56) lines 12 to 16 inclusive.

Further amend said bill by striking from section fifty-seven (57), line 5, and placing a period after the word "direct" in line 4.

Further amend said bill by inserting after line 85 in section forty-five (45) the following:

"(10). The sum of two thousand five hundred (2,500) dollars for the use and benefit of children, not under sixteen (16), and not over twenty-one (21) years of age; in amount not exceeding one hundred fifty (150) dollars for any one (1) child, for any one (1) year, who shall have lived in the state of Iowa two (2) years preceding application for aid hereunder, and who are children of men or women who died during the World War between the dates of April 6, 1917, and July 22, 1921, while serving

in the army, navy, or marine corps of the United States, as a result of such service; to defray the expenses of tuition, matriculation, laboratory and similar fees, books and supplies, for such child or children—not including clothing—for attendance at any educational or training institution of college grade, located within the state of Iowa.

“Eligibility for aid hereunder shall be determined upon application thereto by the Iowa bonus board, and the eligibility of all eligible applicants shall be certified by the adjutant general of Iowa, to the comptroller of Iowa, and all amounts that may be, or may become due to any individual, or any educational or training institution under this appropriation shall be paid to the individual or institution by the said comptroller upon receipt by him of certification by the president or governing board of such educational or training institution as to the accuracy of charges made, and attendance of the individual at such educational or training institution.”

CLAUDE STANLEY.

Amend Senate File 405 by striking sections five (5) and six (6) of said bill and inserting in lieu thereof the following:

“Sec. 5. The fund above provided is hereby allocated to the several counties of the state in the proportion that the population of each county bears to the total population of the state. The federal census for the year 1930 shall be used in determining the population of the several counties and state.

“Sec. 6. The fund above provided, when so allocated to each county, shall be administered by the board of supervisors of that county for the purposes for which said fund was provided in section four (4) of this act.

“Sec. 7. Said fund shall be withdrawn from the state treasury upon warrants drawn by the state comptroller directly to the county treasurer of each county.”

CLAUDE STANLEY.

On motion of Senator Wilson, the Senate recessed until the fall of the gavel.



The Senate reconvened at the fall of the gavel, President N. G. Kraschel presiding.

THIRD READING OF BILLS

By unanimous consent granted Senator Wilson, Senate File 128, a bill for an act to amend section sixty-two hundred thirty-eight (6238) of the Code of Iowa in so far as relates to indebtedness of counties for poor relief purposes, with report of committee without recommendation, was taken up and considered.

The bill was read for information.

MR. E. H. MULOCK ADDRESSED SENATE

By unanimous consent granted Senator Malone, Mr. E. H. Mulock, state administrator of relief, was asked to discuss Senate File 128.

CONSIDERATION OF SENATE FILE 128 CONTINUED

Senator Shangle offered the following amendment and moved its adoption:

Amend Senate File 128 by striking the period following the word "purposes" in line 6 of section one (1), and insert in lieu thereof the following: "insofar as said indebtedness may be incurred solely for poor relief purposes."

The motion prevailed and the amendment was adopted.

Senator Husted offered the following amendment and moved its adoption:

Amend Senate File 128 by striking section two (2), and inserting in lieu thereof the following:

"Sec. 2. This act being deemed of immediate importance, shall take effect and be in full force from and after its publication in the Fontanelle Observer, a newspaper published at Fontanelle, Iowa, and the Earlham Echo, a newspaper published at Earlham, Iowa.

The motion prevailed and the amendment was adopted.

Senator Doze moved the previous question, which motion prevailed.

Senator Stevens of Wapello moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 28:

Aschenbrenner	Elthon	Miller	Shangle
Baldwin	Grunewald	Moore	Stevens of
Bell of Crawford	Harrington	Mullaney	Decatur
Byers	Hush	Pendray	Stevens of
Chrystal	Irwin	Reese	Wapello
Donohue	Knudson	Roelofs	Valentine
Doze	Malone	Schmidt	Wilson
Driscoll	McArthur		

Nays, 14:

Anderson	Fisch	Mason	Patterson
Calhoun	Goetsch	Meyer	Shaw
Corwin	Hopkins	Nelson	Stanley
Dewey	Husted		

Absent or not voting, 8:

Beardsley	Berg	Geske	Millhone
Bell of	Billingsley	Kimberly	Parker
Des Moines			

The bill as amended having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

THIRD READING OF BILLS

By unanimous consent granted Senator Hopkins, House File 254, a bill for an act to legalize the corporate acts and proceedings of the Bagley Water Works Company of Bagley, Iowa, and to provide for the renewal and extension of the period of corporate existence and the adoption of renewal articles of incorporation by said Bagley Water Works Company, was taken up and considered.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 38:

Anderson	Dewey	Husted	Patterson
Aschenbrenner	Donohue	Irwin	Pendray
Baldwin	Doze	Knudson	Reese
Bell of Crawford	Driscoll	Malone	Schmidt
Bell of	Fisch	Mason	Shangle
Des Moines	Goetsch	McArthur	Stanley
Berg	Grunewald	Meyer	Stevens of
Byers	Harrington	Miller	Decatur
Calhoun	Hopkins	Millhone	Valentine
Corwin	Hush	Moore	Wilson

Nays, none.

Absent or not voting, 12:

Beardsley	Geske	Nelson	Shaw
Billingsley	Kimberly	Parker	Stevens of
Chrystal	Mullaney	Roelofs	Wapello
Elthon			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Moore moved that the rules be suspended and House File 203 be taken up at this time.

Senator Stevens of Wapello moved that the Senate recess until the fall of the gavel.

Roll call was requested.

The question was, Shall the Senate recess?

On the question, Shall the Senate recess? the vote was:

Ayes, 17:

Calhoun	Goetsch	Nelson	Stevens of
Dewey	Hush	Pendray	Decatur
Doze	Malone	Reese	Stevens of
Driscoll	Meyer	Shangle	Wapello
Elthon	Mullaney	Stanley	

Nays, 24:

Anderson	Byers	Husted	Moore
Aschenbrenner	Corwin	Irwin	Parker
Baldwin	Donohue	Knudson	Patterson
Beardsley	Grunewald	Mason	Schmidt
Bell of Crawford	Harrington	McArthur	Valentine
Berg	Hopkins	Miller	Wilson

Absent or not voting, 9:

Bell of	Chrystal	Kimberly	Roelofs
Des Moines	Fisch	Millhone	Shaw
Billingsley	Geske		

The motion to recess was lost.

Senator Donohue moved the previous question on the pending Moore motion, which motion prevailed.

Roll call was requested.

The question was, Shall House File 203 be taken up?

On the question, Shall House File 203 be taken up? the vote was:

Ayes, 34:

Anderson	Dewey	Malone	Schmidt
Aschenbrenner	Donohue	McArthur	Shaw
Baldwin	Doze	Meyer	Stanley
Beardsley	Driscoll	Miller	Stevens of
Bell of Crawford	Fisch	Millhone	Decatur
Berg	Grunewald	Moore	Stevens of
Byers	Harrington	Parker	Wapello
Calhoun	Hopkins	Patterson	Valentine
Corwin	Irwin	Roelofs	Wilson

Nays, 11:

Elthon	Husted	Mullaney	Reese
Goetsch	Knudson	Nelson	Shangle
Hush	Mason	Pendray	

Absent or not voting, 5:

Bell of	Billingsley	Geske	Kimberly
Des Moines	Chrystal		

The motion having received a two-thirds majority, the rules were suspended and the Senate proceeded to the consideration of House File 203.

MESSAGES FROM 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 and passed the following bill in which the concurrence of the House was asked:

House File 67, a bill for an act pertaining to a highway patrol and enforcement of provisions of same.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 243, a bill for an act relating to the changing of a person's name.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 258, a bill for an act relating to peddlers operating outside cities and towns.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 304, a bill for an act relating to the selection of official newspaper within a county.

Also: That the House has concurred in Senate amendments and passed the following bill in which the concurrence of the House was asked:

House File 311, a bill for an act to impose a tax on conducting a business by a system of chain stores.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 466, a bill for an act making 1935 revenue available for old age assistance.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 357, a bill for an act relating to protection, welfare and assistance of aged persons. VERGIL LEKIN, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 357

1. Section nine (9), lines 23 and 24, strike the words "therefrom for the benefit of said applicant" and insert in lieu thereof the following: "from the old age pension fund and the old age assistance revolving fund in assistance or other benefits in behalf of said applicant."

2. Section twelve (12), line 20, insert after the comma where same appears after the word "person" the following:

"which spouse meets the requirements set out in section fifteen (15) of this act,".

3. Add after section twenty-six (26) the following:

"Sec. 27. Following the publication of this act in two newspapers of general circulation in this state, as provided by law, sections eight (8), nine (9), ten (10), twenty-three (23) and twenty-five (25), shall be effective as of July 1, 1935. The remainder of this act, being deemed of immediate importance, shall be in full force and effect after its publication as herein provided."

THIRD READING OF BILLS

House File 203, a bill for an act to amend section two thousand four hundred forty-seven (2447), Code of Iowa, 1931, so it shall not apply to dentists and dental hygienists; and to amend section two thousand four hundred ninety-two (2492), Code of Iowa, 1931, so it shall not permit acts of unprofessional conduct by dentists and dental hygienists; and to amend section two thousand four hundred ninety-three (2493), Code of Iowa, 1931, so as to include other acts of unprofessional conduct on the part of dentists and dental hygienists as hereinafter provided; and to amend chapter one hundred twenty-one (121), Title VIII, Code of Iowa, 1931, by adding thereto provisions for the expiration and renewal of licenses to practice dentistry or dental hygiene, regulations governing the department of health and the commissioner of public health relative thereto, appeal from orders of the commissioner of public health rejecting applications for renewal of such licenses, reinstatement of such former licensees whose licenses have lapsed or not been renewed, the revocation of such licenses, the defining of acts by dentists and dental hygienists which shall be "unprofessional conduct," the repeal of any acts in conflict herewith, the

result of any portion of this act being unconstitutional or invalid and that this act being of immediate importance shall be effective upon publication as provided by law, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Reese offered the following amendment and moved its adoption:

Amend House File 203, section four (4), as follows:
By striking therefrom subsection seventeen (17).

Senator Beardsley moved the previous question, which motion prevailed.

Senator Valentine was called to the chair.

Senator Wilson requested an understanding that Senators Geske and Kimberly be called from committee and permitted to vote on any roll call on House File 203 if their votes might change the result of the roll call. No objections were raised.

The question was, Shall the amendment be adopted?

On the question, Shall the amendment be adopted? the vote was:

Ayes, 14:

Baldwin	Husted	Mullaney	Shangle
Dewey	Knudson	Nelson	Stevens of
Elthon	Malone	Pendray	Wapello
Goetsch	Mason	Reese	

Nays, 29:

Anderson	Donohue	Hush	Patterson
Aschenbrenner	Doze	Irwin	Roelofs
Beardsley	Driscoll	McArthur	Schmidt
Bell of Crawford	Fisch	Meyer	Shaw
Berg	Grunewald	Millhone	Stanley
Byers	Harrington	Moore	Valentine
Chrystal	Hopkins	Parker	Wilson
Corwin			

Absent or not voting, 7:

Bell of	Calhoun	Kimberly	Stevens of
Des Moines	Geske	Miller	Decatur
Billingsley			

The motion to amend was lost.

On motion of Senator Shangle, the Senate recessed until the fall of the gavel.

The Senate reconvened at the fall of the gavel, President N. G. Kraschel presiding.

CONSIDERATION OF HOUSE FILE 203 RESUMED

Senator Shangle offered the following amendment and moved its adoption:

Amend House File 203, section four (4), as follows: By inserting in subsection twelve (12), line 84, after the word "court" the following: "of the county in which such applicant resides."

Roll call was requested.

The question was, Shall the amendment be adopted?

On the question, Shall the amendment be adopted? the vote was:

Ayes, 19:

Berg	Geske	Meyer	Reese
Calhoun	Husted	Miller	Shangle
Dewey	Knudson	Mullaney	Stanley
Doze	Malone	Nelson	Stevens of
Elthon	Mason	Pendray	Wapello

Nays, 24:

Anderson	Donohue	McArthur	Schmidt
Baldwin	Fisch	Millhone	Shaw
Beardsley	Goetsch	Moore	Stevens of
Bell of	Grunewald	Parker	Decatur
Des Moines	Harrington	Patterson	Valentine
Byers	Hopkins	Roelofs	Wilson
Corwin	Irwin		

Absent or not voting, 7:

Aschenbrenner	Billingsley	Driscoll	Kimberly
Bell of Crawford	Chrystal	Hush	

The motion to amend was lost.

Senator Shangle offered the following amendment and moved its adoption:

Amend House File 203, section four (4), as follows:

By striking from subsection five (5), page four (4), the remainder of said subsection following the word "by" in line 41; also by inserting in lieu thereof the following:

"A notice, served upon him in the county of his residence by anyone permitted by law to serve notices, which shall be duly signed by the public health commissioner or in his behalf by the attorney general of the state of Iowa, setting forth the facts constituting the alleged violation of any of the provisions of this title and/or commission of any of the acts of unprofessional conduct as defined in this title, which notice shall grant

the applicant not less than twenty (20) days nor more than thirty (30) days from the date of service of said notice to appear before the public health commissioner at the district court of the county in which the applicant resides, at which time and place the commissioner shall show cause why said license should not be renewed. In such event the renewal of the license must be made on the 30th day of June as heretofore provided, regardless of the date fixed in said notice and the making of such showing by the public health commissioner. The notice shall be served by reading it to the applicant or offering to do so in case he neglects or refuses to hear it read, and in either case by delivering him personally a copy thereof, or, if he refuses to receive it, offering to do so. The return of service must state the time and place of making the service, and that a copy was delivered to the applicant, or offered to be delivered, and the party serving same must note thereon the date when received."

Roll call was requested.

The question was, Shall the amendment be adopted?

On the question, Shall the amendment be adopted? the vote was:

Ayes, 23:

Aschenbrenner	Elthon	Knudson	Pendray
Berg	Fisch	Malone	Reese
Calhoun	Goetsch	Mason	Shangle
Dewey	Hopkins	Meyer	Stanley
Doze	Hush	Miller	Stevens of
Driscoll	Husted	Mullaney	Wapello

Nays, 22:

Anderson	Corwin	Millhone	Schmidt
Baldwin	Donohue	Moore	Shaw
Beardsley	Grunewald	Nelson	Stevens of
Bell of	Harrington	Parker	Decatur
Des Moines	Irwin	Patterson	Valentine
Byers	McArthur	Roelofs	Wilson

Absent or not voting, 5:

Bell of Crawford	Chrystal	Geske	Kimberly
Billingsley			

Rule 8 was invoked.

The motion prevailed and the amendment was adopted.

It was called to the attention of the chair that Senators Geske and Kimberly had not been called from committee and permitted to vote in accordance with the understanding requested previously by Senator Wilson.

Senator Irwin moved to expunge the record on the roll call just taken in order that Senators Geske and Kimberly might be called and permitted to vote.

Senator Elthon resisted the motion by stating that no call of the Senate was on file and that the result of the roll call had already been announced.

By unanimous consent Senator Irwin withdrew his motion.

Senator Fisch moved to reconsider the vote by which the Shangle amendment was adopted.

On motion of Senator Irwin, the Senate recessed until the fall of the gavel.

The Senate reconvened at the fall of the gavel, President N. G. Kraschel presiding.

Senator Shangle moved that action on House File 203 be deferred, which motion Senator Shangle withdrew by unanimous consent.

The question was, Shall the motion to reconsider prevail?

On the question, Shall the motion to reconsider prevail? the vote was:

Ayes, 38:

Anderson	Corwin	Irwin	Patterson
Aschenbrenner	Dewey	Knudson	Reese
Baldwin	Donohue	Malone	Roelofs
Beardsley	Doze	Mason	Schmidt
Bell of Crawford	Driscoll	McArthur	Shaw
Bell of Des Moines	Fisch	Meyer	Stanley
Berg	Grunewald	Miller	Stevens of Decatur
Byers	Harrington	Millhone	Valentine
Calhoun	Hopkins	Moore	Wilson
	Hush	Parker	

Nays, 6:

Elthon	Husted	Pendray	Shangle
Goetsch	Mullaney		

Absent or not voting, 6:

Billingsley	Geske	Nelson	Stevens of Wapello
Chrystal	Kimberly		

The motion to reconsider, having received a two-thirds majority, prevailed.

By unanimous consent granted Senator Wilson, action on House File 203 was temporarily deferred.

HOUSE AMENDMENTS CONSIDERED

Senator Roelofs was granted unanimous consent to suspend the rules and call up for consideration Senate File 357, amended by the House, and moved that the Senate concur in the amendments, as found on page 1241 of the Senate Journal.

The question was, Shall the Senate concur?

On the question, Shall the Senate concur? the vote was:

Ayes, 38:

Anderson	Donohue	Irwin	Pendray
Baldwin	Doze	Knudson	Reese
Bell of Crawford	Driscoll	Malone	Roelofs
Bell of	Elthon	Mason	Schmidt
Des Moines	Fisch	Meyer	Shangle
Berg	Grunewald	Miller	Shaw
Byers	Harrington	Millhone	Stevens of
Calhoun	Hopkins	Moore	Decatur
Corwin	Hush	Mullaney	Valentine
Dewey	Husted	Parker	Wilson

Nays, none.

Absent or not voting, 12:

Aschenbrenner	Geske	McArthur	Stanley
Beardsley	Goetsch	Nelson	Stevens of
Billingsley	Kimberly	Patterson	Wapello
Chrystal			

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Roelofs moved that the bill as amended be given its final reading and be placed on its passage, which motion prevailed, and the bill as amended was read again.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 33:

Anderson	Doze	Husted	Mullaney
Baldwin	Driscoll	Irwin	Parker
Bell of Crawford	Fisch	Kimberly	Pendray
Bell of	Geske	Knudson	Reese
Des Moines	Goetsch	Mason	Roelofs
Berg	Grunewald	Meyer	Shangle
Calhoun	Harrington	Miller	Stevens of
Corwin	Hopkins	Millhone	Decatur
Dewey	Hush	Moore	

Nays, none.

Absent or not voting, 17:

Aschenbrenner	Donohue	Patterson	Stevens of
Beardsley	Elthon	Schmidt	Wapello
Billingsley	Malone	Shaw	Valentine
Byers	McArthur	Stanley	Wilson
Chrystal	Nelson		

The bill as amended having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF HOUSE FILE 203 RESUMED

Consideration of the pending Shangle amendment under reconsideration was resumed.

Roll call was requested.

The question was, Shall the amendment be adopted?

On the question, Shall the amendment be adopted? the vote was:

Ayes, 12:

Calhoun	Hush	Miller	Stanley
Dewey	Husted	Nelson	Stevens of
Elthon	Mason	Pendray	Wapello
Goetsch			

Nays, 35:

Anderson	Donohue	Knudson	Reese
Aschenbrenner	Doze	Malone	Roelofs
Baldwin	Driscoll	McArthur	Schmidt
Beardsley	Fisch	Meyer	Shangle
Bell of Crawford	Geske	Millhone	Shaw
Bell of	Harrington	Moore	Stevens of
Des Moines	Hopkins	Mullaney	Decatur
Berg	Irwin	Parker	Valentine
Byers	Kimberly	Patterson	Wilson
Corwin			

Absent or not voting, 3:

Billingsley	Chrystal	Grunewald
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The motion to amend was lost.

Senator Shangle moved to reconsider the vote by which the Shangle amendment failed to be adopted by the Senate.

Senator Wilson raised the point of order that not more than one motion to reconsider could be filed on the same subject matter. The chair ruled that the point was well taken.

Senator Shangle appealed the decision of the chair, which appeal he then withdrew by unanimous consent.

Senator McArthur moved the previous question on the main bill, which motion prevailed.

Senator Reese offered the following amendment and moved its adoption:

Amend House File 203, section four (4), as follows:

By striking paragraphs A, B and C of subsection seventeen (17) and inserting in lieu thereof the following:

"A. Failure to use at all times standard dental supplies and materials purchased from reputable dental supply houses.

"B. Performance of inferior or unprofessional service and workmanship and the refusal to remedy the same without a further charge or fee.

"C. Advising a patient that dental care or treatment is necessary when in truth, and in fact, said service is not necessary.

"D. Advertising in a deceptive manner.

"E. Guaranteeing service or workmanship and a failure to abide by and fulfill such guarantee.

"F. Failure to advertise both maximum and minimum fee for service or plate work."

Senator Donohue raised the point of order that the amendment was out of order inasmuch as the same subject matter had been previously acted upon adversely. The chair held the point not well taken.

The motion to amend was lost.

Senator Mullaney offered the following amendment and moved its adoption:

Amend House File 203, section four (4), as follows:

By striking from subsection thirteen (13), line 93, the words "and no"; and by inserting in lieu thereof the following: "but a."

The motion to amend was lost.

Senator Mullaney offered the following amendment and moved its adoption:

Amend House File 203, section four (4), as follows:

By striking from subsection five (5), page four (4), line 38, the word "credible"; also by inserting after the word "informed" in said line 38 the following: "upon oath or affirmation lawfully administered."

The motion to amend was lost.

Senator Irwin was called to the chair.

President Kraschel returned to the chair.

Senator Moore moved that the reading just had be considered the

third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 35:

Anderson	Corwin	Hopkins	Patterson
Aschenbrenner	Dewey	Irwin	Roelofs
Baldwin	Donohue	Kimberly	Schmidt
Beardsley	Doze	McArthur	Shaw
Bell of Crawford	Driscoll	Meyer	Stanley
Bell of	Fisch	Miller	Stevens of
Des Moines	Geske	Millhone	Decatur
Berg	Grunewald	Moore	Valentine
Byers	Harrington	Parker	Wilson
Chrystal			

Nays, 14:

Calhoun	Husted	Mullaney	Shangle
Elthon	Knudson	Nelson	Stevens of
Goetsch	Malone	Pendray	Wapello
Hush	Mason	Reese	

Absent or not voting 1:

Billingsley

Rule 8 was invoked.

The bill as amended having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Moore moved that the vote by which House File 203 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 215, a bill for an act relinquishing boards of supervisors of its authority and control of drainage districts within corporate limits.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 303, a bill for an act relating to nominations by primary election.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 495, a bill for an act relating to operators' and chauffeurs' license fees, etc.

VIRGIL LEXIN, *Chief Clerk.*

CONSIDERATION OF HOUSE FILE 214 RESUMED

A call of the Senate being on file, roll call revealed that all members of the Senate were present excepting Senator Billingsley.

By unanimous consent granted Senator Beardsley, Senator Billingsley was excused for the day.

Senator Beardsley called up his motion to reconsider the vote by which House File 214, a bill for an act to establish the general fund for the state of Iowa, for the biennium beginning July 1, 1935, and ending June 30, 1937, and to appropriate therefrom for all departments and various divisions thereof, of the state of Iowa, for all purposes provided by law, for the said biennium, failed to pass the Senate, as found on page 1233 of the Senate Journal.

The question was, Shall the motion to reconsider prevail?

On the question, Shall the motion to reconsider prevail? the vote was:

Ayes, 44:

Anderson	Doze	Knudson	Reese
Aschenbrenner	Driscoll	Malone	Roelofs
Baldwin	Elthon	Mason	Schmidt
Beardsley	Fisch	McArthur	Shaw
Bell of	Geske	Meyer	Stanley
Des Moines	Goetsch	Miller	Stevens of
Berg	Grunewald	Millhone	Decatur
Calhoun	Harrington	Mullaney	Stevens of
Chrystal	Hopkins	Nelson	Wapello
Corwin	Hush	Parker	Valentine
Dewey	Husted	Patterson	Wilson
Donohue	Irwin	Pendray	

Nays, none.

Absent or not voting, 6:

Bell of Crawford	Byers	Moore	Shangle
Billingsley	Kimberly		

The motion to reconsider prevailed.

Senator Beardsley called up his motion to reconsider the vote by which House File 214 was passed to its third reading, as found on page 1233 of the Senate Journal. The motion prevailed.

Senator Irwin moved that the call of the Senate be raised, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 223, a bill for an act relating to schools of instruction in the use of anti-hog-cholera serum and virus.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 143, a bill for an act for the protection of the seed potato supply of Iowa.

VIRGIL LEKIN, *Chief Clerk.*

CONSIDERATION OF HOUSE FILE 214 CONTINUED

Senator Stevens of Wapello offered the following amendment and moved its adoption:

Amend House File 214, section forty-five (45), subsection one (1), by striking the words and figures "two million three hundred fifty thousand (2,350,000)" in lines 16 and 17, and inserting in lieu thereof the words and figures "one million nine hundred fifty thousand (1,950,000)."

Also amend section forty-five (45), subsection two (2), by striking the words and figures "two million three hundred thirty-one thousand (2,331,000)" in lines 26 and 27, and inserting in lieu thereof the words and figures "one million nine hundred thirty-one thousand (1,931,000)."

Also amend section forty-five (45), lines 9 and 10 thereof, by striking the words and figures "six million six hundred eighty-one thousand two hundred twenty-six (6,681,226)" and inserting in lieu thereof the words and figures "five million eight hundred eighty-one thousand two hundred twenty-six (5,881,226)."

Senator Irwin moved that the Senate recess until the fall of the gavel, which motion was lost.

Senator Elthon moved the previous question on the pending amendments, which motion was withdrawn by unanimous consent.

Senator Shangle moved that the Senate recess until the fall of the gavel, which motion prevailed.

The Senate came to order at the fall of the gavel, President N. G. Kraschel presiding.

Senator Harrington was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 409, by committee on federal coordination, a bill for an act to amend sections five thousand two hundred twenty-one, (5221), five thousand two hundred twenty-three (5223), five thousand two hundred twenty-five (5225), five thousand two hundred thirty-one (5231) and five thousand two hundred thirty-four (5234) of the Code of Iowa, 1931, relating to salaries of deputy county officials.

The bill was read first and second times and referred to the sifting committee.

Senate File 410, by committee on federal coordination, a bill for an act to authorize corporate agencies of the United States and corporations receiving aid from the United States to exercise the power of eminent domain to acquire property for housing projects; and to declare that this act take effect from the date of its passage and publication.

The bill was read first and second times and referred to the sifting committee.

Senate File 411, by committee on banks and banking, a bill for an act to amend section ten thousand and sixty-seven (10067) of the Code of Iowa, 1931, relating to corporate seals.

The bill was read first and second times and referred to the sifting committee.

HOUSE MESSAGES CONSIDERED

House File 215, a bill for an act to amend section seventy-six hundred thirty-six (7636), Code, 1931, relating to the relinquishment by boards of supervisors of its authority and control of drainage districts within the corporate limits of cities and towns to cities and towns, and providing for the transfer of funds therein to such cities and towns.

The bill was read first and second times and referred to the sifting committee.

House File 243, a bill for an act to amend section twelve thousand six hundred fifty-five (12655), Code, 1931, relating to the changing of a person's name.

The bill was read first and second times and referred to the sifting committee.

House File 258, a bill for an act to amend section seventy-one hundred seventy-seven (7177), Code, 1931, relating to peddlers operating outside cities and towns.

The bill was read first and second times and referred to the sifting committee.

House File 303, a bill for an act to amend section five hundred ninety-three (593), Code, 1931, relating to nominations by primary election.

The bill was read first and second times and referred to the sifting committee.

House File 304, a bill for an act to amend section fifty-three hundred ninety-eight (5398), Code of 1931, as amended by chapter one hundred six (106), section seventeen (17), acts of the Forty-fifth General Assembly, relating to the selection of official newspapers within a county.

The bill was read first and second times and referred to the sifting committee.

House File 377, a bill for an act to repeal chapter two hundred forty-six (246), sections forty-eight hundred seventeen (4817) to forty-eight hundred twenty-nine (4829) inclusive, Code, 1931, relating to the eradication and control of noxious weeds and to enact a substitute therefor defining the term noxious weeds, requiring the chief of the botany section of the Iowa agriculture experiment station to serve as state botanist; providing for the appointment of weed commissioners; defining the duties of the secretary of agriculture, board of supervisors, land owners and tenants; specifying order for destruction of noxious weeds; providing for assessment of cost thereof and providing penalties for the violation of the provisions of this act.

The bill was read first and second times and referred to sifting committee.

House File 406, a bill for an act to legalize the payment by the county treasurer of Wright county, Iowa, from the general funds of Wright county, Iowa, the sum of one thousand three hundred

seventy-eight (1,378) dollars and fifteen (15) cents for bonds and coupons issued by and against drainage district number 176 of Wright county, Iowa.

The bill was read first and second times and referred to the sifting committee.

House File 428, a bill for an act creating a state board of eugenics, the definition of its powers and duties, provision for the sexual sterilization for eugenic purposes of certain persons who voluntarily apply for the operation, the provision of suitable procedure for securing the said purposes of this bill, appropriation of funds for the enforcement of this act, and for the repealing of chapter one hundred and fourteen-C one (114-C1) of the Code, 1931.

The bill was read first and second times and referred to the sifting committee.

House File 443, a bill for an act to legalize certain contracts and the acts of the board of supervisors of Marion county, Iowa, in the letting of and entering into said contracts to and with Len Visser and Ed McDonald for grading certain secondary roads in said county.

The bill was read first and second times and referred to the sifting committee.

House File 466, a bill for an act relating to the payment of old age assistance and making available, prior to July 1, 1935, the revenue provided by the 1935 per capita levy under the provisions of section thirty-four (34), chapter nineteen (19), acts of the Forty-sixth General Assembly, Extraordinary Session.

The bill was read first and second times and referred to the sifting committee.

House File 495, a bill for an act to amend sections forty-nine hundred sixty-d seventeen (4960-d17), forty-nine hundred sixty-d twenty-five (4960-d25), forty-nine hundred sixty-d twenty-six (4960-d26), and forty-nine hundred sixty-d thirty (4960-d30), Code, 1931, and chapters seventy-seven (77) and eighty-one (81), acts of the Forty-fifth General Assembly, all relating to the expiration date of and the fee to be charged for operators' and chauffeurs' licenses, expenditure of said fee, and powers of examiners.

The bill was read first and second times and referred to the sifting committee.

House File 503, a bill for an act to legalize the renewal of the corporate period of the New Nonpareil Company of Council Bluffs, Iowa.

The bill was read first and second times and referred to the sifting committee.

House File 504, a bill for an act to legalize the renewal of the corporate period of the Ames Tribune Publishing Company of Ames, Iowa.

The bill was read first and second times and referred to the sifting committee.

House File 506, a bill for an act to amend section seventy-four hundred twenty-d six (7420-d6), Code, 1931, as amended, relating to public deposits.

The bill was read first and second times and referred to the sifting committee.

COPIES HOUSE FILE 311 ORDERED

By unanimous consent granted Senator Harrington, it was ordered that 1200 copies of House File 311 as finally passed by the legislature be printed.

CALL OF THE SENATE FILED

MR. PRESIDENT: We request a call of the Senate on House File 214 and Senate File 124.

ROY E. STEVENS.

T. F. DRISCOLL.

VINCENT F. HARRINGTON.

E. I. MASON.

FRANK C. BYERS.

WM. MCARTHUR.

H. D. MILLER.

JOHN K. VALENTINE.

C. E. MALONE.

SAM D. GOETSCH.

E. P. CORWIN.

PAUL MILLHON.

GEO. A. WILSON.

FRED W. NELSON.

WM. S. BEARDSLEY.

REPORT OF COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

S. F. 393	S. F. 89
H. F. 266	H. F. 66
H. F. 443	H. F. 270
S. F. 379	H. F. 179
H. F. 406	S. F. 392
H. F. 495	

H. L. IRWIN, *Chairman.*

Ordered placed on file.

AMENDMENTS FILED

Amend Senate File 408 by striking all of line 17, section one (1), and inserting in lieu thereof the following:

"One new cottage, Glenwood.....\$80,000."
HOMER HUSH.

Amend Senate File 408 as follows:

Amend section one (1) of Senate File 408 by striking therefrom line 33 reading as follows:

"State fair grounds, new swine building..... 26,250.00."
L. T. SHANGLE.

Amend Senate File 408 by inserting the following after section one (1), as section two (2), and renumbering the remaining sections:

"Sec. 2. No expenditure of any of the funds appropriated by this act shall be made unless the project for which the same is to be used shall first be approved by the comptroller and the executive council of the state of Iowa, and if and when funds be available therefor, are over and above funds necessary to meet general appropriations."

A. J. SHAW.

WM. MCARTHUR.

Amend Senate File 408 by striking in section one (1), lines 18 to 32 inclusive, and inserting in lieu thereof the following:

"Contingent fund for repairs and capital improvements at institutions under state board of education:

State university, Iowa City.....	\$117,250.00
Iowa state college, Ames.....	117,250.00
State teachers college, Cedar Falls.....	52,500.00
School for blind, Vinton.....	21,000.00
School for deaf, Council Bluffs.....	15,750.00"

WM. MCARTHUR.

A. J. SHAW.

Amend Senate File 363, section two (2), by adding at the end of said section the following paragraph: "If information comes to the executive

council concerning the conditions existing in any industry or industries, which conditions tend to retard recovery from the emergency declared herein, the executive council shall make investigation of such industry or industries and if such conditions are found to exist, which conditions tend to retard recovery from the emergency herein, the executive council shall impose a code on such industry or industries, which code shall conform with all the requirements stated herein."

VINCENT F. HARRINGTON.

Amend Senate File 257, section one (1), line 4, by striking out the word "amusement."

Also amend said section by striking out all after the word "machines" in line 5 thereof to and including the word "slot" in line 7 and substituting in lieu thereof the following: "Except merchandise, service or amusement machines."

Amend Senate File 257, section two (2), line 4, by striking the word "amusement."

Amend Senate File 257, section three (3), by striking all of said section and substituting the following:

"A coin operated device machine as provided for in this act which means a machine in which 'coins' or 'chips' are inserted, which machine when operated automatically, emits 'coins' or 'chips' that have value of exchange."

Further amend Senate File 257 by inserting the following as section twelve (12): "Sec. 12. A device so licensed shall not be construed to be used or kept in violation of chapter five hundred ninety-three (593) of the Code, 1931, as amended."

Renumber remaining section.

VINCENT F. HARRINGTON.

On motion of Senator Wilson, the Senate recessed until the fall of the gavel.

The Senate reconvened at the fall of the gavel, President N. G. Kraschel presiding.

PROOFS OF PUBLICATION

The official proof of publication of Senate File 393, a bill for an act to legalize the action of the county auditor and county board of supervisors of Audubon county, Iowa, in making expenditures and issuing warrants in 1934 against the secondary road maintenance fund of said county; to make said warrants the legal, valid and binding obligations of said county, and to authorize the county treasurer of said county to pay said warrants out of any funds coming into his hands in 1935 and belonging to the secondary road maintenance fund of said county, was duly filed with the Secretary of the Senate in compliance with the provisions of section ten thousand three hundred fifty-eight (10358) of the Code, 1931.

The official proof of publication of House File 132, a bill for an act to legalize the transfer of funds from the maintenance fund of Pottawattamie county, Iowa, to the general fund, was duly filed with the Secretary of the Senate in compliance with the provisions of section ten thousand three hundred fifty-eight (10358) of the Code, 1931.

The official proof of publication of House File 406, a bill for an act to legalize the payment by the county treasurer of Wright county, Iowa, the sum of one thousand three hundred seventy-eight (1,378) dollars and fifteen (15) cents for bonds and coupons issued by and against drainage district number 176 of Wright county, Iowa, was duly filed with the Secretary of the Senate in compliance with the provisions of section ten thousand three hundred fifty-eight (10358) of the Code, 1931.

The official proof of publication of House File 443, a bill for an act to legalize certain contracts and the acts of the board of supervisors of Marion county, Iowa, in the letting of and entering into said contracts to and with Len Visser and Ed McDonald for grading certain secondary roads in said county, was duly filed with the Secretary of the Senate in compliance with the provisions of section ten thousand three hundred fifty-eight (10358) of the Code, 1931.

HEDO M. ZACHERLE, *Secretary of the Senate.*

Senator Fisch was granted unanimous consent to have Senate Files 397 and 400 withdrawn from the committee on appropriations and placed on the calendar.

THIRD READING OF BILLS

By unanimous consent granted Senator Husted, House File 186, a bill for an act to amend section forty-seven hundred fifty-five-eight (4755-b8), Code, 1931, relating to the improvement of the primary road system and prohibiting the acquiring or improving of a new system of diagonal highways, with certain exceptions, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Valentine moved the previous question, which motion prevailed.

Senator Husted moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 41:

Aschenbrenner	Dewey	Irwin	Reese
Baldwin	Donohue	Malone	Roelofs
Beardsley	Doze	McArthur	Schmidt
Bell of Crawford	Driscoll	Meyer	Shangle
Bell of	Elthon	Miller	Shaw
Des Moines	Fisch	Millhone	Stanley
Berg	Goetsch	Mullaney	Stevens of
Billingsley	Grunewald	Nelson	Decatur
Byers	Hopkins	Parker	Stevens of
Calhoun	Hush	Patterson	Wapello
Corwin	Husted	Pendray	Valentine

Nays, none.

Absent or not voting, 9:

Anderson	Harrington	Knudson	Moore
Chrystal	Kimberly	Mason	Wilson
Geske			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Husted moved that the vote by which House File 186 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House File 379, a bill for an act to repeal section forty-three hundred forty-six (4346), Code, 1931, as amended by chapter one, hundred twenty-one (121), section fourteen (14), acts of the Forty-fifth General Assembly, and to enact a substitute therefor, relating to the creation of the pension fund in independent school districts adopting the pension and annuity retirement system for public school teachers, was taken up and considered.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 32:

Aschenbrenner	Doze	McArthur	Schmidt
Bell of Crawford	Driscoll	Meyer	Stanley
Bell of Des Moines	Goetsch	Mullaney	Stevens of Decatur
Berg	Grunewald	Nelson	Stevens of Wapello
Billingsley	Hopkins	Parker	Valentine
Corwin	Hush	Patterson	Wilson
Dewey	Husted	Pendray	
Donohue	Irwin	Reese	
	Malone	Roelofs	

Nays, 2:

Calhoun	Shangle
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Absent or not voting, 16:

Anderson	Chrystal	Harrington	Miller
Baldwin	Elthon	Kimberly	Millhone
Beardsley	Fisch	Knudson	Moore
Byers	Geske	Mason	Shaw

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson moved that the vote by which House File 379 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent granted Senator Hopkins, Senate File 393, a bill for an act to legalize the action of the county auditor and county board of supervisors of Audubon county, Iowa, in making expenditures and issuing warrants in 1934 against the secondary road maintenance fund of said county; to make said warrants the legal, valid, and binding obligations of said county, and to authorize the county treasurer of said county to pay said warrants out of any funds coming into his hands in 1935 and belonging to the secondary road maintenance fund of said county, was taken up and considered.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 37:

Aschenbrenner	Driscoll	McArthur	Schmidt
Beardsley	Elthon	Meyer	Shangle
Bell of	Fisch	Miller	Shaw
Des Moines	Goetsch	Moore	Stanley
Billingsley	Grunewald	Mullaney	Stevens of
Calhoun	Hopkins	Parker	Decatur
Corwin	Hush	Patterson	Stevens of
Dewey	Husted	Pendray	Wapello
Donohue	Irwin	Reese	Valentine
Doze	Malone	Roelofs	Wilson

Nays, none.

Absent or not voting, 13:

Anderson	Byers	Harrington	Mason
Baldwin	Chrystal	Kimberly	Millhone
Bell of Crawford	Geske	Knudson	Nelson
Berg			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hopkins moved that the vote by which Senate File 393 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE 393 MESSAGED TO HOUSE

By unanimous consent granted Senator Hopkins, it was ordered that Senate File 393 be messaged to the House immediately.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 62, 184, 185, 201, 213, 273, 294, 300, 343, 359, 364, 366, 367, and 374.

JOHN N. CALHOUN, *Chairman Senate Committee.*

J. P. GALLAGHER, *Acting Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 62, 184, 185, 201, 213, 273, 294, 300, 343, 359, 364, 366, 367, and 374.

BILLS SENT TO THE GOVERNOR

Senator Calhoun, from the committee on enrolled bills, submitted the following report :

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 23rd day of April, 1935, sent to the Governor for his approval Senate Files 62, 184, 185, 201, 213, 273, 294, 300, 343, 359, 364, 366, 367, and 374.

JOHN N. CALHOUN, *Chairman.*

Passed on file.

THIRD READING OF BILLS

By unanimous consent granted Senator Valentine, House File 443, a bill for an act to legalize certain contracts and the acts of the board of supervisors of Marion county, Iowa, in the letting of and entering into said contracts to and with Len Visser and Ed McDonald for grading certain secondary roads in said county, was taken up and considered.

Senator Wilson was called to the chair.

The bill was read for information.

Senator Aschenbrenner moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 36:

Aschenbrenner	Doze	Meyer	Roelofs
Beardsley	Driscoll	Miller	Schmidt
Bell of Crawford	Elthon	Millhone	Shangle
Bell of	Fisch	Moore	Shaw
Des Moines	Goetsch	Mullaney	Stanley
Berg	Grunewald	Nelson	Stevens of
Billingsley	Hush	Parker	Decatur
Calhoun	Husted	Pendray	Valentine
Corwin	Irwin	Reese	Wilson
Dewey	McArthur		

Nays, none.

Absent or not voting, 14:

Anderson	Donohue	Kimberly	Patterson
Baldwin	Geske	Knudson	Stevens of
Byers	Harrington	Malone	Wapello
Chrystal	Hopkins	Mason	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Aschenbrenner moved that the vote by which House File 443 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent granted Senator Valentine, Senate File 380, a bill for an act to legalize the corporate acts and proceedings of the Davenport Auto Truck Company of Davenport, Iowa, was taken up and considered.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 39:

Aschenbrenner	Elthon	Meyer	Schmidt
Beardsley	Fisch	Miller	Shangle
Bell of	Goetsch	Millhone	Shaw
Des Moines	Grunewald	Moore	Stanley
Berg	Hopkins	Mullaney	Stevens of
Billingsley	Hush	Nelson	Decatur
Calhoun	Husted	Parker	Stevens of
Corwin	Irwin	Patterson	Wapello
Dewey	Knudson	Pendray	Valentine
Doze	Malone	Roelofs	Wilson
Driscoll	McArthur		

Nays, none.

Absent or not voting, 11:

Anderson	Byers	Geske	Mason
Baldwin	Chrystal	Harrington	Reese
Bell of Crawford	Donohue	Kimberly	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Valentine moved that the vote by which Senate File 380 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stevens of Wapello, the Senate recessed until the fall of the gavel.

The Senate reconvened at the fall of the gavel, President N. G. Kraschel presiding.

By unanimous consent granted Senator Mason, House File 497, a bill for an act directing the Governor, on behalf of the state

of Iowa, to issue to Glen Gott a patent or conveyance to certain land in Keokuk county, Iowa, was taken up and considered.

The bill was read for information.

Senator Valentine offered the following amendment and moved its adoption:

Amend House File 497 as follows:

Amend House File 497, section one (1), line 7, by striking the words "Glen Gott" and substituting therefor the words "Jacob Amburn."

Further amend section one (1), line 3, by striking therefrom the words "Glen Gott" and substituting the words "Jacob Amburn."

Amend the title of House File 497 by striking the words "Glen Gott" in line 2 thereof and substituting in lieu thereof the words "Jacob Amburn."

The motion prevailed and the amendment was adopted.

Senator Mason moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 42:

Aschenbrenner	Dewey	Irwin	Patterson
Baldwin	Donohue	Kimberly	Pendray
Bell of Crawford	Doze	Knudson	Reese
Bell of	Driscoll	Malone	Schmidt
Des Moines	Elthon	Mason	Shangle
Berg	Fisch	Meyer	Shaw
Billingsley	Goetsch	Miller	Stanley
Byers	Grunewald	Millhorne	Stevens of
Calhoun	Hopkins	Moore	Decatur
Chrystal	Hush	Mullaney	Valentine
Corwin	Husted	Parker	Wilson

Nays, none.

Absent or not voting, 8:

Anderson	Harrington	Nelson	Stevens of
Beardsley	McArthur	Roelofs	Wapello
Geske			

The bill as amended having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

By unanimous consent granted Senator Chrystal, House File 266, a bill for an act to legalize the action of the board of super-

visors in the levying of taxes for maintaining the services of a county nurse in Sac county, Iowa, was taken up and considered.

The bill was read for information.

Senator Chrystal moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 44:

Aschenbrenner	Donohue	Malone	Reese
Baldwin	Doze	Mason	Schmidt
Beardsley	Driscoll	McArthur	Shangle
Bell of Crawford	Elthon	Meyer	Shaw
Bell of	Fisch	Miller	Stanley
Des Moines	Grunewald	Millhone	Stevens of
Berg	Harrington	Moore	Decatur
Billingsley	Hopkins	Mullaney	Stevens of
Byers	Husted	Nelson	Wapello
Chrystal	Irwin	Parker	Valentine
Corwin	Kimberly	Patterson	Wilson
Dewey	Knudson	Pendray	

Nays, none.

Absent or not voting, 6:

Anderson	Geske	Hush	Roelofs
Calhoun	Goetsch		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

By unanimous consent granted Senator Schmidt, House File 133, a bill for an act to amend section sixty-one hundred forty-four (6144), Code, 1931, relating to the management of municipally owned waterworks, heating plant, or electric light or power plant, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Schmidt moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 47:

Aschenbrenner	Donohue	Knudson	Pendray
Baldwin	Doze	Malone	Reese
Beardsley	Driscoll	Mason	Schmidt
Bell of Crawford	Elthon	McArthur	Shangle
Bell of	Fisch	Meyer	Shaw
Des Moines	Goetsch	Miller	Stanley
Berg	Grunewald	Millhone	Stevens of
Billingsley	Harrington	Moore	Decatur
Byers	Hopkins	Mullaney	Stevens of
Calhoun	Hush	Nelson	Wapello
Chrystal	Husted	Parker	Valentine
Corwin	Irwin	Patterson	Wilson
Dewey	Kimberly		

Nays, none.

Absent or not voting, 3:

Anderson	Geske	Roelofs
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

SENATE CONCURRENT RESOLUTION 23 ADOPTED

By unanimous consent, Senator Stanley called up for consideration Senate Concurrent Resolution 23, as found on pages 1181 and 1182 of the Senate Journal.

The concurrent resolution was read for information and on motion of Senator Stanley was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 507, a bill for an act to abolish the state board of conservation, the state fish and game commission, etc.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 26, a bill for an act relating to speed standard of motor vehicles operated upon the highways.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 391, a bill for an act relating to compensation of assistant county attorneys.

VIRGIL LEKIN, *Chief Clerk.*

By unanimous consent granted Senator McArthur, Senate File 254, a bill for an act to repeal chapter four hundred twenty-six

(426), of the Code, 1931, and to enact a substitute therefor, to provide for the licensing and bonding of warehouses for storage of agricultural products; to prohibit storage of agricultural products in grain elevators that are not licensed; to provide for licensing of weighers and graders of agricultural products; to provide for fees for inspection and licensing of warehouses; to provide for administration of the act by the board of railroad commissioners and to provide penalties for violation of the act, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Nelson offered the following amendment and moved its adoption:

Amend Senate File 254 as follows: By striking lines 2, 3, 4, 5, 6 and that portion of line 7 ending with the period following the word "act" of section seven (7), and inserting in lieu thereof the following:

"Said bond shall be in such form and shall contain such terms and conditions as the commissioners may prescribe to carry out the purposes of this act, and shall be endorsed as surety by a bonding company authorized to do business in this state."

The motion prevailed and the amendment was adopted.

Senator Nelson offered the following amendment and moved its adoption:

Amend Senate File 254 as follows:

(1) Amend paragraph (c) of subsection eleven (11), section two (2), by striking the first three (3) lines and substituting in lieu thereof the following:

"Grain other than the property of the operator when received into a grain elevator warehouse."

(2) Further amend by striking section three (3) and substituting in lieu thereof the following:

"Sec. 3. License required. Any warehouseman in this state, before receiving agricultural products into grain elevators for storage, must first procure a bonded warehouse license from the board of railroad commissioners or be licensed and bonded under the provisions of a United States warehouse act, except as permitted under the provisions of this act relating to temporary permits. Any grain elevator, not so licensed and not operated under such permit, shall not receive grain for storage and shall not store grain, other than that which is the property of the warehouseman for a time exceeding ten (10) days from the day of receipt of the first consignment of any given lot, except that grain offered for sale to an unlicensed grain elevator operator at the prevailing market price may be received and held for such reasonable time as is necessary

for the operator to determine sufficiency of title in the seller, before making payment therefor, but he shall not store grain for purchase at a price left for future determination, commonly known as deferred payment contract."

(3) Further amend by inserting after the word "elevators" in line 23 of section five (5) the following: "and auxiliaries thereto."

The motion prevailed and the amendment was adopted.

Senator Nelson moved that the reading just had be considered the third reading, and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 45:

Aschenbrenner	Donohue	Kimberly	Patterson
Baldwin	Doze	Knudson	Pendray
Beardsley	Driscoll	Malone	Reese
Bell of Crawford	Elthon	Mason	Roelofs
Bell of	Fisch	McArthur	Schmidt
Des Moines	Goetsch	Meyer	Shangle
Berg	Grunewald	Miller	Shaw
Billingsley	Harrington	Millhone	Stevens of
Byers	Hopkins	Moore	Decatur
Calhoun	Hush	Mullaney	Stevens of
Corwin	Husted	Nelson	Wapello
Dewey	Irwin	Parker	Valentine

Nays, none.

Absent or not voting, 5:

Anderson	Geske	Stanley	Wilson
Chrystal			

The bill as amended having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator McArthur moved that the vote by which Senate File 254 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent granted Senator Moore, House File 132, a bill for an act to legalize the transfer of funds from the maintenance fund of Pottawattamie county, Iowa, to the general fund, was taken up and considered.

The bill was read for information.

Senator Moore moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 41:

Anderson	Donohue	Knudson	Pendray
Aschenbrenner	Driscoll	Malone	Reese
Baldwin	Elthon	Mason	Roelofs
Bell of Crawford	Fisch	McArthur	Schmidt
Bell of	Goetsch	Meyer	Shaw
Des Moines	Grunewald	Miller	Stevens of
Berg	Hopkins	Millhone	Decatur
Byers	Hush	Moore	Stevens of
Chrystal	Husted	Mullaney	Wapello
Corwin	Irwin	Parker	Valentine
Dewey	Kimberly	Patterson	Wilson

Nays, 1:

Shangle

Absent or not voting, 8:

Beardsley	Calhoun	Geske	Nelson
Billingsley	Doze	Harrington	Stanley

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF SUBSTITUTE FOR HOUSE FILE 214

Substitute for House File 214, a bill for an act to establish the general fund for the state of Iowa, for the biennium beginning July 1, 1935, and ending June 30, 1937, and to appropriate therefrom for all departments and various divisions thereof, of the state of Iowa, for all purposes provided by law, for the said biennium, was again taken up and considered.

A call of the Senate being on file, a roll call revealed the absence of Senator Geske.

By unanimous consent granted Senator Valentine, Senator Geske was excused from the call of the Senate.

Consideration of the pending Stevens of Wapello amendment to the substitute for House File 214, as found on page 1251 of the Senate Journal, was resumed.

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend the substitute for House File 214, as amended, by adding the following as section sixty-one (61), following section sixty (60), and by renumbering the remaining sections:

"Sec. 61. For the purpose of complying with the requirements of the federal public works act and to make repairs, improvements and betterments at the various state institutions there is hereby appropriated the sum of seven hundred ten thousand five hundred (710,500) dollars or so much thereof as may be necessary for each year of the biennium beginning July 1, 1935, and ending June 30, 1937.

To be expended by the board of control:

New power plant, Clarinda state hospital.....	\$ 43,750.00
Remodeling power plant and new equipment for same at Cherokee state hospital	26,250.00
Boilers and power plant equipment, Mitchellville.....	7,000.00
New hospital building, Oakdale.....	43,750.00
Two (2) new cottages, Woodward.....	122,500.00
Extension prison wall, Ft. Madison.....	8,750.00
Remodeling kitchens and dining rooms, Clarinda.....	56,000.00
New hospital building, Independence.....	70,000.00

To be expended by the board of education:

State University, Iowa City.....	\$117,250.00
State College, Ames	117,250.00
State Teachers College, Cedar Falls.....	52,500.00
School for blind, Vinton.....	21,000.00
School for deaf, Council Bluffs.....	15,750.00

"No expenditure of any of the funds appropriated by this section shall be made unless first approved by the comptroller and by the executive council, and unless funds available therefor are over and above funds necessary to meet general appropriations.

"The Governor and comptroller are hereby authorized to obtain federal grants to the state to be used in connection with funds above appropriated for repairs, improvements and betterments."

The chair ruled that amendments might be amended either before or after their adoption.

The motion prevailed and the Valentine amendment was adopted.

Senator Hush offered the following amendment to the amendment and moved its adoption:

Amend the Valentine amendment to the substitute for House File 214 by inserting after line 14 of section sixty-one (61) thereof the following:
 "One new cottage, Glenwood.....\$80,000."

The motion prevailed and the amendment to the amendment was adopted.

Senator Malone offered the following amendment and moved its adoption:

Amend the Valentine amendment to section sixty-one (61) of the substitute for House File 214 by adding after line 24 the following: "State fair grounds, repairing and remodeling swine building..\$26,250.00."

Senator Pendray moved the previous question, which motion prevailed.

Roll call was requested.

The question was, Shall the amendment be adopted?

On the question, Shall the amendment be adopted? the vote was:

Ayes, 38:

Aschenbrenner	Corwin	Knudson	Reese
Baldwin	Doze	Malone	Roelofs
Beardsley	Driscoll	McArthur	Schmidt
Bell of Crawford	Fisch	Miller	Shaw
Bell of	Grunewald	Millhone	Stanley
Des Moines	Harrington	Moore	Stevens of
Berg	Hopkins	Nelson	Decatur
Billingsley	Hush	Parker	Stevens of
Byers	Irwin	Patterson	Wapello
Calhoun	Kimberly	Pendray	Wilson
Chrystal			

Nays, 11:

Anderson	Elthon	Mason	Shangle
Dewey	Goetsch	Meyer	Valentine
Donohue	Husted	Mullaney	

Absent or not voting, 1:

Geske

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend the substitute for House File 214, section sixty-one (61), by striking the words and figures "seven hundred ten thousand five hundred (710,500.00) dollars" in line 4 and substituting therefor the words and figures "eight hundred eight thousand (808,000.00) dollars."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend the substitute for House File 214, section sixty-one (61), by inserting following line 24 thereof, immediately preceding the Malone amendment, the following: "To be expended by the state fair board:".

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend the title of the substitute for House File 214 as follows: By striking the period following the word "biennium" in line 5 thereof and adding the following: ", and to appropriate the sum of eight hundred eight thousand (808,000.00) dollars or so much thereof as may be necessary to meet the requirements of the federal public works act and to provide for repairs, improvements and betterments at the state institutions and state fair grounds."

The motion prevailed and the amendment was adopted.

Senator Shangle moved that the Senate recess until the fall of the gavel, which motion was lost.

Senator Valentine was granted unanimous consent that the Secretary of the Senate be instructed to correct all proper amendments to refer to the substitute for House File 214.

By unanimous consent, Senator Beardsley withdrew his motion to reconsider the vote by which the Patterson motion, to substitute the subject matter of Senate File 124 for that of House File 214, was adopted, as found on page 1233 of the Senate Journal.

Senator Stevens of Wapello moved that the substitute for House File 214, as amended, be read a third time and be placed on its passage, which motion prevailed, and the bill as amended was read again.

The question was, Shall the bill, as amended, pass?

On the question, Shall the bill, as amended, pass? the vote was:

Ayes, 47:

Anderson	Donohue	Knudson	Reese
Aschenbrenner	Doze	Malone	Roelofs
Baldwin	Driscoll	Mason	Schmidt
Beardsley	Elthon	McArthur	Shangle
Bell of Crawford	Fisch	Meyer	Shaw
Bell of	Goetsch	Miller	Stanley
Des Moines	Grunewald	Millhone	Stevens of
Berg	Harrington	Mullaney	Decatur
Byers	Hopkins	Nelson	Stevens of
Calhoun	Hush	Parker	Wapello
Chrystal	Husted	Patterson	Valentine
Corwin	Irwin	Pendray	Wilson
Dewey	Kimberly		

Nays, none.

Absent or not voting, 3:

Billingsley	Geske	Moore
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The bill as amended having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

SUBSTITUTE FOR HOUSE FILE 214 MESSAGED TO HOUSE

By unanimous consent granted Senator Patterson, it was ordered that the substitute for House File 214 be messaged to the House immediately.

On motion of Senator Shangle the Senate recessed until the fall of the gavel.

The Senate reconvened at the fall of the gavel, President N. G. Kraschel presiding.

CALL OF SENATE FILED

We, the undersigned, request a call of the Senate for the consideration of Senate Files 405, 406, 407 and 324.

JOHN K. VALENTINE.

I. G. CHRYSTAL.

G. E. ROELOFS.

ROY E. STEVENS.

MIKE G. FISCH.

WM. MCARTHUR.

FRED W. NELSON.

H. D. MILLER.

PAUL SCHMIDT.

L. H. MEYER.

JAS. M. BELL.

H. C. BALDWIN.

H. L. IRWIN.

CHRIS REESE.

FRANK M. STEVENS.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 67 and 311.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files 67 and 311.

THIRD READING OF BILLS

By unanimous consent granted Senator Baldwin, House File 167, a bill for an act to amend section twenty-five hundred eighty-five-c one (2585-c1), section twenty-five hundred eighty-five-c two (2585-c2), twenty-five hundred eighty-five-c three (2585-c3),

twenty-five hundred eighty-five-c four (2585-c4), and section twenty-five hundred eighty-five-c five (2585-c5), Code, 1931, and to repeal section twenty-five hundred eighty-five-c six (2585-c6), Code, 1931, all relating to the licensing, supervision and regulation of the practice of embalming, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Baldwin moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 35:

Aschenbrenner	Elthon	Meyer	Schmidt
Baldwin	Fisch	Miller	Shangle
Beardsley	Grunewald	Millhone	Shaw
Berg	Hopkins	Moore	Stanley
Billingsley	Hush	Mullaney	Stevens of
Dewey	Husted	Nelson	Decatur
Donohue	Irwin	Parker	Stevens of
Doze	Knudson	Pendray	Wapello
Driscoll	Malone	Reese	Valentine
			Wilson

Nays, none.

Absent or not voting, 15:

Anderson	Byers	Geske	Mason
Bell of Crawford	Calhoun	Goetsch	McArthur
Bell of	Chrystal	Harrington	Patterson
Des Moines	Corwin	Kimberly	Roelofs

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Baldwin moved that the vote by which House File 167 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent granted Senator Driscoll, House File 173, a bill for an act declaring a state and national emergency to exist effecting the service trades within the state of Iowa, declaring the necessity for ordinances providing for fair competition among service trades; declaring this act an emergency meas-

ure; authorizing councils of cities, including special charter cities, and towns within their respective jurisdictions to enact or repeal such ordinances providing for fair competition among those trades wherein services are rendered to the public without the sale of merchandise as such except as a mere incident to such service; providing for application to the governing body of cities and towns for the establishment of ordinances providing for fair competition, and providing a penalty for violation of provisions of ordinances so adopted, with report of committee without recommendation was taken up and considered.

The bill was read for information.

Senator Driscoll moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 26:

Anderson	Byers	Hush	Parker
Aschenbrenner	Chrystal	Irwin	Reese
Baldwin	Corwin	Mason	Schmidt
Bell of	Doze	McArthur	Shaw
Des Moines	Driscoll	Meyer	Stevens of
Berg	Grunewald	Moore	Wapello
Billingsley	Harrington	Mullaney	Wilson

Nays, 18:

Calhoun	Hopkins	Millhone	Stanley
Dewey	Husted	Nelson	Stevens of
Donohue	Knudson	Pendray	Decatur
Elthon	Malone	Roelofs	Valentine
Goetsch	Miller	Shangle	

Absent or not voting, 6:

Beardsley	Fisch	Kimberly	Patterson
Bell of Crawford	Geske		

Rule 8 was invoked.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Baldwin moved that the vote by which House File 173 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Valentine was granted unanimous consent to call up for consideration Senate Files 405, 406, 407 and 324.

A call of the Senate being on file, roll call revealed the absence of Senators Bell of Crawford, Geske, Kimberly and Patterson.

On motion of Senator Valentine the Senate proceeded with the consideration of Senate File 406 with the understanding that should the vote of any of the absent Senators determine the failure or passage of any of the amendments or the main bill itself, that their presence could be demanded by any member of the Senate.

Senate File 406, a bill for an act to amend chapter eighty-two (82), acts of the Forty-fifth General Assembly, Extraordinary Session, to provide and appropriate funds for the Iowa emergency relief administration and for the Iowa emergency conservation works for the period commencing July 1, 1935, and extending through December 31, 1935, and to revise the allocation of revenues for general state purposes, with report of committee without recommendation was taken up and considered.

The bill was read for information.

MR. E. H. MULOCK ADDRESSED SENATE

By unanimous consent granted Senator Valentine, Mr. E. H. Mulock, state administrator of relief, was asked to address the Senate with reference to Senate File 406.

Senator Stanley moved that Mr. Mulock prepare a report of the expenditures of the \$3,000,000 appropriation granted by the Forty-fifth General Assembly in Extra Session for state relief, as well as federal funds appropriated for this purpose, and that such report be printed in the Senate Journal.

CONSIDERATION OF SENATE FILE 406 RESUMED

Senator Beardsley moved that the Senate recess until the fall of the gavel.

As a substitute for his pending motion, Senator Stanley moved that action on Senate Files 405 and 406 be deferred until the time that the report of the expenditures of the state and federal relief appropriations might be printed in the Senate Journal.

Senator Beardsley insisted upon his motion to recess.

As a substitute for all pending motions, Senator Stevens of Wapello moved that Mr. Mulock be requested to prepare a sum-

mary of his statements made in the Senate chamber together with any other information in regard to the expenditure of federal, state and county relief funds, setting out the needs, and that the report be printed in the Senate Journal.

By unanimous consent Senator Beardsley withdrew his motion to recess.

The motion to substitute prevailed, the substitution was made and the substitute motion prevailed.

On motion of Senator Stevens of Wapello the Senate stood at ease until the fall of the gavel.

The Senate came to order at the fall of the gavel.

Senator Valentine moved that the reading just had be considered the third reading and the bill be placed upon its passage, which motion prevailed unanimously.

The question was, Shall the bill pass?

On the question, "Shall the bill pass? the vote was:

Ayes, 36:

Aschenbrenner	Donohue	Malone	Roelofs
Baldwin	Doze	Mason	Schmidt
Beardsley	Driscoll	McArthur	Shangle
Bell of Crawford	Elthon	Meyer	Stevens of
Bell of	Goetsch	Miller	Decatur
Des Moines	Grunewald	Moore	Stevens of
Berg	Harrington	Mullaney	Wapello
Byers	Hush	Parker	Valentine
Chrystal	Irwin	Pendray	Wilson
Corwin	Knudson	Reese	

Nays, 11:

Billingsley	Fisch	Millhone	Shaw
Calhoun	Hopkins	Nelson	Stanley
Dewey	Husted	Patterson	

Absent or not voting, 3:

Anderson	Geske	Kimberly
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

By unanimous consent granted Senator Irwin, the absent Senators were excused from voting on Senate File 406.

Senator Valentine moved that the vote by which Senate File 406 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate File 405, a bill for an act to provide for an annual levy upon the valuation of the taxable property of the state in order to provide a fund to be known as the "Iowa emergency relief fund" and further to provide for the administration of said fund, was taken up and considered.

The bill was read for information.

Senator Stanley offered the following amendment and moved its adoption:

Amend Senate File 405 by striking sections five (5) and six (6) of said bill and inserting in lieu thereof the following:

"Sec. 5. The fund above provided is hereby allocated to the several counties of the state in the proportion that the population of each county bears to the total population of the state. The federal census for the year 1930 shall be used in determining the population of the several counties and state.

"Sec. 6. The fund above provided, when so allocated to each county, shall be administered by the board of supervisors of that county for the purposes for which said fund was provided in section four (4) of this act.

"Sec. 7. Said fund shall be withdrawn from the state treasury upon warrants drawn by the state comptroller directly to the county treasurer of each county."

Senator Irwin moved the previous question, which motion prevailed.

Roll call was requested.

The question was, Shall the amendment be adopted?

On the question, Shall the amendment be adopted? the vote was:

Ayes, 12:

Berg	Corwin	Hopkins	Patterson
Billingsley	Dewey	Husted	Shaw
Calhoun	Goetsch	Millhone	Stanley

Nays, 32:

Aschenbrenner	Driscoll	McArthur	Schmidt
Baldwin	Elthon	Meyer	Shangle
Bell of Crawford	Fisch	Miller	Stevens of
Bell of	Grunewald	Moore	Decatur
Des Moines	Harrington	Mullaney	Stevens of
Byers	Hush	Parker	Wapello
Chrystal	Irwin	Pendray	Valentine
Donohue	Knudson	Reese	Wilson
Doze	Malone	Roelofs	

Absent or not voting, 6:

Anderson	Geske	Mason	Nelson
Beardsley	Kimberly		

The motion to amend was lost.

Senator Valentine moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed unanimously.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 31:

Aschenbrenner	Donohue	Mason	Roelofs
Baldwin	Doze	McArthur	Schmidt
Beardsley	Driscoll	Meyer	Shangle
Bell of Crawford	Grunewald	Miller	Stevens of
Bell of	Harrington	Moore	Decatur
Des Moines	Hush	Mullaney	Stevens of
Byers	Irwin	Pendray	Wapello
Chrystal	Knudson	Reese	Valentine
Corwin	Malone		

Nays, 15:

Berg	Elthon	Husted	Patterson
Billingsley	Fisch	Millhone	Shaw
Calhoun	Goetsch	Nelson	Stanley
Dewey	Hopkins	Parker	

Absent or not voting, 4:

Anderson	Geske	Kimberly	Wilson
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Rule 8 was invoked.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Irwin was granted unanimous consent that the absent Senators be excused from voting on Senate File 405.

Senator Valentine moved that the vote by which Senate File 405 passed the Senate be reconsidered and 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 471, a bill for an act providing for remission of unpaid taxes on the capital stock of any bank in the hands of a receiver.

VIRGIL LEKIN, *Chief Clerk.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 254, 364, 472 and 502.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files 254, 364, 472 and 502.

THIRD READING OF BILLS

Senate File 407, a bill for an act to make an appropriation to the Iowa emergency conservation administration and authorizing disbursement thereof, was taken up and considered.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed unanimously.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 36:

Aschenbrenner	Driscoll	Meyer	Roelofs
Baldwin	Fisch	McArthur	Schmidt
Beardsley	Goetsch	Miller	Shangle
Bell of Crawford	Grunewald	Millhone	Stevens of
Bell of	Harrington	Moore	Decatur
Des Moines	Hopkins	Mullaney	Stevens of
Berg	Hush	Nelson	Wapello
Chrystal	Irwin	Parker	Valentine
Dewey	Knudson	Pendray	Wilson
Doze	Malone	Reese	

Nays, 2:

Mason	Patterson
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Absent or not voting, 12:

Anderson	Calhoun	Elthon	Kimberly
Billingsley	Corwin	Geske	Shaw
Byers	Donohue	Husted	Stanley

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Valentine moved that the vote by which Senate File 407 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate File 324, a bill for an act to create a state planning board, to prescribe its powers and duties, and the powers and duties of public officers with reference to said board, and to amend section three hundred two (302), Code, 1931, was taken up and considered.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed unanimously.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 30:

Aschenbrenner	Doze	Malone	Schmidt
Baldwin	Driscoll	Meyer	Shangle
Bell of Crawford	Fisch	Miller	Shaw
Byers	Grunewald	Mullaney	Stevens of
Calhoun	Harrington	Nelson	Decatur
Chrystal	Hush	Parker	Stevens of
Corwin	Irwin	Reese	Wapello
Donohue	Knudson	Roelofs	Valentine

Nays, 4:

Billingsley	Dewey	Hopkins	Husted
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Absent or not voting, 16:

Anderson	Elthon	McArthur	Patterson
Beardsley	Geske	Mason	Pendray
Bell of	Goetsch	Millhone	Stanley
Des Moines	Kimberly	Moore	Wilson
Berg			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Valentine moved that the vote by which Senate File 324 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

HOUSE FILE 506 SUBSTITUTED FOR SENATE FILE 387

By unanimous consent granted Senator Mullaney, Senate File 387, a bill for an act to amend section seventy-four hundred twenty-d six (7420-d6), Code, 1931, as amended, relating to public deposits, was taken up and considered.

The bill was read for information.

By unanimous consent granted Senator Mullaney, House File 506, a bill for an act to amend section seventy-four hundred twenty-d six (7420-d6), Code, 1931, as amended, relating to public deposits, was withdrawn from the sifting committee and substituted for Senate File 387.

The bill was taken up and read for information.

Senator Hush offered the following amendment and moved its adoption:

Amend House File 506, section one (1), line 3, by adding after the word "all", the following: "of said section."

The motion prevailed and the amendment was adopted.

Senator Mullaney moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 42:

Aschenbrenner	Donohue	Knudson	Patterson
Baldwin	Driscoll	Malone	Pendray
Bell of Crawford	Elthon	Mason	Roelofs
Bell of	Fisch	McArthur	Schmidt
Des Moines	Goetsch	Meyer	Shangle
Berg	Grunewald	Miller	Shaw
Billingsley	Harrington	Millhone	Stevens of
Byers	Hopkins	Moore	Decatur
Calhoun	Hush	Mullaney	Stevens of
Chrystal	Husted	Nelson	Wapello
Corwin	Irwin	Parker	Valentine
Dewey			

Nays, none.

Absent or not voting, 8:

Anderson	Doze	Kimberly	Stanley
Beardsley	Geske	Reese	Wilson

The bill as amended having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Mullaney moved that the vote by which House File 506 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE 387 WITHDRAWN

By unanimous consent granted Senator Mullaney, it was ordered

that Senate File 387 be withdrawn from further consideration by the Senate.

Senator Beardsley moved that the Senate recess until the fall of the gavel, which motion he withdrew by unanimous consent.

THIRD READING OF BILLS

By unanimous consent granted Senator Byers, Senate File 392, a bill for an act to amend section fifty-three hundred two (5302), chapter two hundred sixty-seven (267), Code, 1931, to provide that the county old age assistance boards or the state old age assistance commission may apply to the district court for an order to compel legally responsible relatives to support indigent and elderly persons, was taken up and considered.

The bill was read for information.

Senator Byers moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 36:

Aschenbrenner	Dewey	Irwin	Pendray
Beardsley	Donohue	Knudson	Shangle
Bell of Crawford	Doze	Malone	Stanley
Bell of	Driscoll	Mason	Stevens of
Des Moines	Elthon	McArthur	Decatur
Berg	Grunewald	Meyer	Stevens of
Billingsley	Harrington	Miller	Wapello
Byers	Hopkins	Moore	Valentine
Chrystal	Hush	Mullaney	Wilson
Corwin	Husted	Parker	

Nays, none.

Absent or not voting, 14:

Anderson	Geske	Nelson	Roelofs
Baldwin	Goetsch	Patterson	Schmidt
Calhoun	Kimberly	Reese	Shaw
Fisch	Millhone		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

By unanimous consent granted Senator Bell of Crawford, Senate File 238, a bill for an act to repeal the law as it appears in section twelve thousand six hundred forty-four-e fourteen (12-

644-c14), Code, 1931, and to enact a substitute therefor relating to the investment of funds of veterans under guardianship, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Bell of Crawford moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 37:

Aschenbrenner	Bell of	Billingsley	Chrystal
Beardsley	Des Moines	Byers	Corwin
Bell of Crawford	Berg	Calhoun	Dewey
Donohue	Harrington	Miller	Shaw
Doze	Hopkins	Millhone	Stanley
Driscoll	Husted	Moore	Stevens of
Elthon	Knudson	Parker	Wapello
Fisch	Mason	Patterson	Valentine
Goetsch	McArthur	Pendray	Wilson
Grunewald	Meyer	Roelofs	

Nays, 1:

Shangle

Absent or not voting, 12:

Anderson	Irwin	Nelson	Stevens of
Baldwin	Kimberly	Reese	Decatur
Geske	Malone	Schmidt	
Hush	Mullaney		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

By unanimous consent granted Senator Corwin, House File 270, a bill for an act to define and regulate the installation of compressed gas systems, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Corwin moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 33:

Aschenbrenner	Donohue	Knudson	Roelofs
Beardsley	Doze	McArthur	Shangle
Berg	Elthon	Meyer	Shaw
Billingsley	Fisch	Miller	Stevens of
Byers	Goetsch	Moore	Decatur
Calhoun	Grunewald	Mullaney	Stevens of
Chrystal	Harrington	Parker	Wapello
Corwin	Hopkins	Patterson	Wilson
Dewey	Husted	Pendray	

Nays, none.

Absent or not voting, 17:

Anderson	Driscoll	Malone	Reese
Baldwin	Geske	Mason	Schmidt
Bell of Crawford	Hush	Millhone	Stanley
Bell of	Irwin	Nelson	Valentine
Des Moines	Kimberly		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

SENATE FILE 341 WITHDRAWN

By unanimous consent granted Senator Corwin, it was ordered that Senate File 341 be withdrawn from further consideration by the Senate.

THIRD READING OF BILLS

By unanimous consent granted Senator Parker, Senate File 335, a bill for an act to repeal sections four thousand seven hundred fifty-five-b' twenty-one (4755-b21) to four thousand seven hundred fifty-five-b' twenty-five (4755-b25) of the Code of Iowa, 1931, relating to the refunding of primary road paving assessment refunds, to dispose of unexpended balances in the primary road paving assessment reimbursement funds in the various counties, and to provide for the payment of all outstanding primary road paving assessment certificates or bonds, was taken up and considered.

The bill was read for information.

Senator Parker moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 35:

Aschenbrenner	Elthon	Meyer	Roelofs
Beardsley	Fisch	Miller	Shangle
Bell of Crawford	Grunewald	Millhone	Shaw
Berg	Harrington	Moore	Stevens of
Billingsley	Hopkins	Mullaney	Decatur
Chrystal	Husted	Nelson	Stevens of
Corwin	Knudson	Parker	Wapello
Dewey	Mason	Patterson	Valentine
Doze	McArthur	Pendray	Wilson
Driscoll			

Nays, none.

Absent or not voting, 15:

Anderson	Byers	Goetsch	Malone
Baldwin	Calhoun	Hush	Reese
Bell of	Donohue	Irwin	Schmidt
Des Moines	Geske	Kimberly	Stanley

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to:

HOUSE MESSAGES CONSIDERED

House File 471, a bill for an act to provide for remission of unpaid taxes on the capital stock of any bank placed in the hands of a receiver.

The bill was read first and second times and referred to the sifting committee.

House File 507, a bill for an act to abolish the state board of conservation, the state fish and game commission, and the office of state forestry commissioner, and to impose the rights, powers and duties of said agencies on a new agency which shall be known as the state conservation commission; to create said latter commission and to define its rights, powers and duties; to coordinate various sections of the statutes with said change in the law and to this end to amend or repeal various sections and provisions of the statutes.

The bill was read first and second times and referred to the sifting committee.

SIGNATURE WITHDRAWN

MR. PRESIDENT: I hereby withdraw my signature from the report of committee filed April 19, 1935, and printed on pages 1131, 1132, 1133 and 1134 of the Senate Journal.

JOHN W. BILLINGSLEY.

SUBSTITUTE COMMITTEE REPORT FILED

MR. PRESIDENT: We, the undersigned, hereby move that the following report be substituted for the report filed April 19, 1935, on pages 1131, 1132, 1133 and 1134 of the Senate Journal, by the committee appointed under the authority of Concurrent Resolution 6.

On the 19th instant, the committee which had been created by the present session of the legislature to investigate and report the manner in which anticipatory warrants against the state sinking fund and other warrants had been handled made its final report.

The report is so indifferent in character and so limited in its scope as to cause at least some degree of surprise that a matter of such importance as to require an investigation should have been so lightly considered. Upon examining the same it is found to include statements, which, if what seems to be common knowledge is to be considered as anything but gossip, renders parts of the report questionable as to their correctness in the following particulars:

I

Among other things the report states, referring to the issuance of three million five hundred thousand (3,500,000) dollars of anticipatory warrants against the sinking fund, known as Issue No. 40:

"The committee finds that the warrants were not offered at public sale nor were they advertised, nor did the public bid for said warrants. That in the issuance of warrants prior thereto, the state treasurer advertise that said warrants were for sale, but not until after they had been issued, and there were no purchasers therefor."

That statement was evidently based upon the testimony of the treasurer of state (pages 78, 101). The declaration in many of the treasurer's innumerable statements that the former treasurer was so at variance with if not quite, invariably advertised, in advance, that the treasurer of state had almost, warrants on the market that an issue of putting anticipatory parties who might desire so to do, was to be sold so as to give any of said warrants under the provisions of section seventy-four hundred twenty-six (7420-b6) of the Code of 1931, that two (2) of the undersigned members directed their secretaries to check the files of the Des Moines Register to ascertain what the facts really are with reference to the matter of advertising, and we herewith submit their findings in the form of an affidavit.

The document presented by them shows that previous to the present treasurer's assuming office, thirty-eight (38) issues of warrants had been sold or offered for sale by his immediate predecessor and that in every instance with one single exception, ads were run before the date of the issuance of the warrants except that in one (1) other instance the ad appeared in the morning of the day the warrants were to be issued and in all others the notices preceded the date of issue of the warrants by from three (3) days to three (3) weeks or more. In the two (2) instances the date of allotment of the warrant followed the date of the advertisement.

It is inconceivable that Mr. Wegman and his checkers should have found the one (1) instance in which the ad appeared subsequent to the date of issuance of the warrants, but found none of the thirty-six (36) or thirty-seven (37) which preceded the date of issue, and it is likewise inconceivable that the committee would pass this matter over so lightly as not to learn that this testimony with reference thereto was false.

II

The committee further states that:

"There is no provision in the Code which requires said warrants to be advertised."

Certainly section seventy-four hundred twenty-b six (7420-b6) contemplates that publicity shall be given in some manner so that prospective purchasers may have an opportunity to apply for allotment of the warrants. In no other manner could the public, or any interested investor, know that warrants were to be sold.

The report further finds that upon an opinion of the attorney general the treasurer of state and the executive council had no authority under the Code to advertise the sale of these warrants or to sell them in any other manner than it did.

The attorney general testified before the committee and (page 327) stated:

"But there is nothing specific in the Brookhart-Lovrien sinking fund act that would preclude or prohibit public sale."

Any claim that there is no fund from which the cost of advertising could be paid is not well founded. (Chapter one hundred eighty-eight (188), acts Forty-fifth General Assembly, sections fourteen (14), forty-seven (47).)

III

The report recites that at an informal meeting of the executive council held in the fall of 1934 the matter of selling three million five hundred thousand (3,500,000) dollars of warrants to the Carleton D. Beh Company was taken up. Nothing is said as to what took place previous to that date. Mr. Beh in his testimony (page 4) stated that the matter first came up between him and Governor Herring in the summer of 1934; that later, but still in the summer, he took the matter up with members of the executive council and the treasurer of state and the Governor (page 12); that he took the matter up with the treasurer of state sometime in August or September, or in his own language possibly in July (pages 13-15); that he and the treasurer decided the interest rate the warrants should bear (page 19); that he submitted a formal application for the warrants September 17, 1934 (pages 53-54) and was told by the treasurer of state that his bid would be accepted within the next ten (10) days or two (2) weeks. Mr. Storms (page 208) said that the informal meeting referred to was held October 22d. Mr. Wegman (page 68) said it was held about the middle of October. The meeting at which the resolution was passed approving the Beh application and completing the sale of the warrants to him was held on the 15th of November,

1934 (page 210). Mr. Wegman (page 96) said Mr. Beh promoted this issue of warrants. Mrs. Miller (pages 144-5) stated that Governor Her-ring led in the movement to turn this issue of warrants to Mr. Beh.

All of the time that negotiations were going on between Mr. Beh, Mr. Wegman and members of the council with regard to No. 40 issue of warrants from and after September 17, 1934, Mr. James F. Toy of Sioux City was trying to buy warrants from the treasurer of state (page 156 et seq.). Regardless of what had taken place, the treasurer wrote to Mr. Toy on October 1st, saying:

"Your favor of the 29th is received and I am sure that you understand that at any time that this department can direct to your institution obligations of the state or inform you of their issue, if any, we will be more than happy so to do." (Page 157.)

He knew at that very instant that warrants were to be sold and that Mr. Beh on the 17th of September had submitted an application to buy them (pages 53-54). Again on November 13th he wrote to Mr. Toy, saying:

"Whether or not there will be an issue of anticipatory warrants will be determined shortly. The maximum amount that can be issued and outstanding at this time is three and one-half million (3,500,000) dollars. Whether or not the total could be marketed is problematical."

Why did he conceal from Mr. Toy the requested information to which any citizen of the state was entitled and which he as a public official was under obligation to give, and why did he say on November 13th that whether or not there would be an issue of anticipatory warrants would be determined shortly when he knew that it had already been determined and that he had already been authorized by the council on October 22d (page 68) to sell the issue to Mr. Beh? Why did he say that whether or not the total amount could be sold was problematical when the Beh Company's application had then been approved and Mr. Beh was assisting in preparation of the resolution for the council to pass, and which it did pass just two (2) days later; that is on November 15th (page 210).

IV

The report also states:

"Your committee further finds from the evidence that there were no other purchasers or prospective purchasers in the state of Iowa who would have been willing to take the entire issue at a lesser rate of interest after making his own investigation and his purchase being conditioned upon this approval of the issue."

Why was it necessary that any single individual or concern should have taken the entire issue, if by dividing it, the entire amount could have been sold which is evidenced by the fact that Mr. Beh did sell it within a period of about forty-five (45) days (page 280), at rates of one and one-half (1½) per cent to three and one-half (3½) per cent (page 23) and all within the state of Iowa except one hundred fifty thousand (150,000) dollars.

The references to another prospective purchaser was to Mr. Toy of Sioux City. Was it an unreasonable request for any prospective investor

to make that he be allowed to investigate the sources from which income to pay the warrants was to come? Mr. Beh, according to his own testimony, spent weeks investigating the matter and in trying to purchase the warrants. Page 243 contains an elaborate statement from him showing that he had had access to the records showing income from beer license fees, interest on bank deposits, and bank liquidations month by month. He knew that warrants were to be sold long enough in advance to enable him to fully acquaint himself with these matters. Why was not Mr. Toy told that warrants were to be sold so that he, too, could have informed himself? Mr. Toy said (page 116) that if he had been given such an opportunity he would gladly have taken the entire issue at from three (3) per cent to three and one-half (3½) per cent and stated:

"There is no excuse in the world why they should pay more than four (4) per cent."

V

The chairman of the committee announced in committee meeting March 7, 1935, that the questions for the committee to determine were whether the warrants were legally issued, and at a rate of interest that was a fair and going rate on that type of security at that time (Tr. page 334).

Yet the report filed by the committee makes no reference to any comparative rates of interest on such or similar warrants and reveals no testimony on interest rates on warrants of similar character.

It is common knowledge among the banks and investment houses that anticipatory warrants, even of other states of the United States, were being sold in Iowa at rates varying from two (2) per cent to two and one-half (2½) per cent during the fall of 1934, at the very time this issue (No. 40) was being discussed by the treasurer of state and Mr. Beh who fixed the rate of interest at five (5) per cent (page 19) instead of having the rate fixed by the executive council at what would have been fair and reasonable. At the same time anticipatory secondary road certificates were being offered and sold by Iowa counties at rates of two and three-fourths (2¾) per cent to three (3) per cent and waterworks and electric light plant bonds payable from revenue of the plants only were sold at three and one-half (3½) per cent to four (4) per cent.

The rate of interest appears never to have been discussed by the council as shown by statements of Auditor Storms (page 209); Secretary of Council Ross Ewing (page 224); Mrs. Miller (pages 138-9); and Secretary of Agriculture Murray (page 150).

The record shows that it was the intention of the executive council members that Mr. Beh was to be favored as a purchaser on account of his claimed previous service to the state (see Tr. pages 143, 209), and no one else was given an opportunity to purchase warrants or to offer a lower rate of interest.

In the face of this record why did the committee conclude its hearings as early as March 14th without any further investigation on the interest rates of this period to ascertain whether the maximum rate of five (5) per cent was reasonable at the time it was fixed in 1934?

The information was readily obtainable from any bank or investment broker and could not have taken much time or entailed any considerable expense.

VI

The report also states:

"The committee further finds that in the issuance of prior warrants, the early maturities were quickly taken, but the later maturities were not taken, and a number of authorizations were never taken."

Exhibit "C" set out on pages 362-365 of the transcript and offered by Mr. Wegman, shows that thirty-eight (38) issues of warrants aggregating about eighteen million five hundred thousand (18,500,000) dollars were issued by the former treasurer of state. Of these every dollar of the first thirty-three (33) issues was sold. Under No. 34 the entire issue matured March 1, 1933. Under No. 35 the entire issue matured April 1, 1933. There were no early or late maturities among them. In each instance the entire amount matured on the same date. Both issues thirty-six (36) and thirty-seven (37) were sold in full. This leaves but a single issue upon which the above statement might stand, issue No. 38. Of that issue, one hundred fifty thousand (150,000) dollars matured February 1, 1934; one hundred fifty thousand (150,000) dollars March 1st; one hundred fifty thousand (150,000) dollars April 1st; one hundred fifty thousand (150,000) dollars May 1st; two hundred thousand (200,000) dollars June 1st; two hundred thousand (200,000) dollars July 1st. The last amount of two hundred thousand (200,000) dollars maturing July 1st was sold in full, whereas some of the earlier issues were not sold in full. This is exactly the opposite to the declarations of the committee. We have no means of knowing the dates of the sale of this issue except the general statement that they covered a period of October 1, 1932 to February 26, 1934.

Therefore, the evidence offered by Mr. Wegman not only does not substantiate the conclusion reached by the committee but rather proves the contrary; and does not bear out statements of the treasurer of state that the early maturities would sell at a low rate of interest but that the longer maturities could not be sold even at the higher rate, which was his excuse for the high rates on the entire issue of three and one-half (3½) millions.

VII

Again quoting from the report:

"The committee further finds no irregularities in the issuance and sale of any warrants from January 1, 1925, up to date, either by the treasurer of state, the board of education or any other department."

The record shows that issue No. 39 for one million five hundred thousand (1,500,000) dollars of refunding anticipatory warrants (October 1, 1933) was never approved by or even submitted to the executive council.

The attorney general (page 301) testified that the treasurer of state would have no power to determine the rate of interest which these warrants should draw, nor to determine the form of the warrants without the approval of the executive council.

Auditor of State Storms (page 209), and Ross Ewing, secretary of the executive council (page 224) stated that No. 40 was the only issue

that had ever been before the council since they came into office, and Treasurer of State Wegman (page 215) stated as to No. 40:

"This is the only issue ever put out under my administration as treasurer."

If those statements are to be relied upon, by what authority, by whom and under what circumstances was No. 39 issue of warrants put out, and does it not constitute a very serious irregularity as it involves the conduct of a public official?

Does it mean that another issue of more than a million dollars of warrants was privately, or secretly, sold to Mr. Beh by the treasurer of state and that without knowledge of other members of the executive council?

The statement of the committee is also wholly inconsistent with the facts as they are shown by the transcript and by the affidavit heretofore mentioned. The present treasurer of state gave out no information as to his intention to sell warrants. In fact, he concealed such intention from Mr. Toy (tr. pages 156-7) when he made repeated efforts to obtain it, and sold warrants at private sale; what, in reality, might be termed secret sale, while his predecessor gave wide publicity to those matters and tried to get as many purchasers as possible and sold the warrants under the plan of allotment provided for in the statute. These methods cannot both be "regular."

The record further shows that the finance committee of the state board of education entered into two contracts with the Beh Company for the sale of warrants issued to it by the auditor of state and the comptroller. One contract called for the sale of all warrants from May 10, 1933 to July 1, 1933 (page 394). The first contract is set out in full on pages 385-387. This contract provides for sale at par. Under the provisions of the contract the company's check was to be attached to the warrant and both held by the treasurer of the institution for whose benefit it was issued during which time interest accrued thereon. By this device the Beh Company secured eight thousand six hundred eight (8,608) dollars and forty-five (45) cents interest (page 386) while the institutional treasurer was merely "holding his check" and letting interest pile up.

Furthermore, the finance committee entered into a further contract to sell the Beh Company all warrants drawn to it from July 1, 1933 to December 31, 1934 (page 395). This was done without regard to any change in the money market and without any effort to sell anticipatory warrants under the provisions of section two hundred eighty-seven (287) of the Code which sale would have required advertisement and sale to the highest bidder.

By what authority can any officer, or arm of the state, donate the accrued interest to a purchaser of warrants? By what authority can any board of commission enter into a contract to sell its appropriations made by the legislature for a period of one and one-half (1½) years? By what authority can the finance committee procure its warrants in advance of its needs? Can this procedure, by any stretch of imagination, be termed "regular"?

The Governor, in his message to this session of the General Assembly stated (S. J. Jan. 15, page 22), that twelve million five hundred thousand (12,500,000) dollars of general fund warrants had been issued and stamped "not paid for want of funds" and bore five (5) per cent interest.

The treasurer of state testified that such warrants were in high demand and should not bear more than two (2) per cent or two and one-half (2½) per cent.

He testified (page 81) as follows:

"I stamp that warrant 'not paid for want of funds' then under the law it would draw five (5) per cent. That warrant, if the law did not fix the rate on it, I could sell it probably at two and one-half (2½) per cent, banks and investors would grab it readily at this time at two and one-half (2½) per cent."

The record and report of this committee are barren of any effort to determine why such flagrant practices in the handling of the state's finances were allowed and followed by those charged with the duty of administration. The record made not only does not substantiate the conclusion of the committee but proves the contrary.

E. P. DONOHUE.

WM. S. BEARDSLEY.

JOHN W. BILLINGSLEY.

G. W. PATTERSON.

JOHN N. CALHOUN.

PAUL L. MILLHONE.

GEO. M. HOPKINS.

SALE OF SINKING FUND ANTICIPATORY WARRANTS 1927-1932

No.	Amount Advertised to be Sold	Rate of Int.	Date of Issue	Date of Maturity	Dates when Notices were Published	Applica- tions re- ceived until
1	2,500,000	4½	5-2-27	various 6/1/27 to 12/1/28	DM Reg. 4/20/27	4/25/27
2	1,000,000	4½	5-2-27	on or before 1/1/29	DM Reg. 4/20/27	4/25/27
3	500,000	4½	6-1-27	on or before 1/1/29	DM Reg. 5/22/27 DM Reg. 5/23/27	5/26/27
4	300,000	4½	7-1-27	on or before 12/1/28	DM Reg. 6/11/27 DM Reg. 6/10/27	6/27/27
5	250,000	4½	8-1-27	on or before 2/1/29	DM Reg. 7/20 and 21/27	7/26/27
6	250,000	4½	9-1-27	on or before 3/1/29	DM Reg. 8/24 and 25/27	8/29/27
7	200,000	4½	9-1-27	on or before 1/1/29	DM Reg. 8/24 and 25/27	8/29/27
8	400,000	4½	11-1-27	on or before 1/1/29	DM Reg. 10/30 and 31/27	10/31/27
9	200,000	4½	12-1-27	on or before 1/1/29	DM Reg. 11/17 and 18/27	11/28/27
10	400,000	4½	1-2-28	on or before 6/1/29	DM Reg. 12/11 and 12/27	12/27/27
11	250,000	4½	2-1-28	on or before 7/1/29	DM Reg. 1/19 and 20/28	1/26/28
12	400,000	4½	3-1-28	on or before 8/1/29 and	DM Reg. 2/19 and 20/28	2/25/28
13	80,000	4½	4-1-28	on or before 10/1/29	DM Reg. 3/14 and 15/28	3/26/28

No.	Amount Advertised to be Sold	Rate of Int	Date of Issue	Date of Maturity	Dates when Notices were Published	Applica- tions re- ceived until
14	200,000	4½	5-1-28	on or before 11/1/29	DM Reg. 4/10 and 11/28	4/26/28
15	300,000	4½	6-1-28	on or before 12/1/29	DM Reg. 5/9 and 10/28	5/26/28
16	300,000	4½	7-1-28	on or before 1/1/30	DM Reg. 6/13 and 14/28	6/26/28
17	200,000	4½	10-1-28	on or before 1/1/30	DM Reg. 9/13 and 14/28	9/25/28
18	200,000	5	12-1-28	on or before 2/1/30	DM Reg. 11/12 and 13/28	11/24/28
19	400,000	5	1-2-29	on or before 3/1/30	DM Reg. 12/13 and 14/28	12/24/28
20	200,000	5	4-1-29	on or before 4/1/30	DM Reg. 3/12 and 13/29	3/23/29
21	200,000	5	7-1-29	on or before 4/1/30	DM Reg. 6/6 and 7/29	6/24/29
22	300,000	5	10-1-29	on or before 5/1/30	DM Reg. 9/19 and 20/29	9/26/29
23	200,000	5	11-1-29	on or before 7/1/30	DM Reg. 10/12 and 13/29	10/26/29
24	300,000	5	2-1-30	on or before 9/1/30	DM Reg. 1/25 and 26/30	1/29/30
25	200,000	4½	4-1-30	on or before 11/1/30	DM Reg. 3/12 and 13/30	3/26/30
26	200,000	4½	6-1-30	on or before 12/1/30	DM Reg. 5/14 and 15/30	5/26/30
27	200,000	4½	8-1-30	on or before 12/31/30	DM Reg. 7/16 and 17/30	7/26/30
28	400,000	4	11-1-30	on or before 7/1/31	DM Reg. 10/16 and 17/30	11/1/30
28	400,000	4	11-1-30	on or before 4/1/31	DM Reg. 10/8 and 9/30	10/24/30
29	1,000,000	4	1-2-31	on or before 12/1/31	DM Reg. 12/12 and 13/30	12/26/30
30	1,000,000	4	2-2-31	on or before 4/1/33	DM Reg. 1/18 and 19/31	1/26/31
31	400,000	4	4-1-31	on or before 6/1/32	DM Reg. 3/18 and 19/31	3/26/31
32	500,000	3¾	6-1-31	on or before 9/1/32	DM Reg. 5/12 and 13/31	5/20/31
33	1,000,000	3½	7-1-31	on or before 1/1/33	DM Reg. 6/18 and 19/31	6/22/31
34	1,000,000	3½	9-1-31	on or before 3/1/33	DM Reg. 9/1 and 2/31	9/5/31
35	700,000	4½	10-1-31	on or before 4/1/33	DM Reg. 10/14 and 15/31	10/17/31

No.	Amount Advertised to be Sold	Rate of Int.	Date of Issue	Date of Maturity	Dates when Notices were Published	Applica- tions re- ceived until
36	1,000,000	5	11-2-31	on or before 5/1/33	DM Reg. 10/27 and 28/31	10/29/31
37	1,000,000	5	3-1-32	various	DM Reg. 2/18 and 19/32	2/25/32
38	1,000,000	5	10-1-32	various	DM Reg. 9/22 and 23/32	9/29/32 April 25, 1935.

We, the undersigned, hereby certify that the above is a true and correct record taken from the copies of the Des Moines Register filed in the State Historical Building and that it shows the dates of publication of the notices of issuance of the issues, one (1) to thirty-eight (38) inclusive, of the anticipatory warrants issued on the state sinking fund for the years 1927 to 1932 inclusive.

Dated this 25th day of April, 1935.

.....
.....
Subscribed and sworn to before me this of April, 1935.

REPORT OF COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

H. F. 188

H. F. 157

H. F. 189

H. F. 5

H. F. 304

H. L. IRWIN, *Chairman.*

On motion of Senator Wilson, the Senate recessed until the fall of the gavel.

The Senate reconvened at the fall of the gavel, President N. G. Kraschel presiding.

THIRD READING OF BILLS

Senator Valentine was granted unanimous consent to consider Senate Files 394, 395 and 396.

Senate File 394, a bill for an act to amend sections ninety-two hundred sixty-two-c one (9262-c1), ninety-one hundred eighty-nine (9189), ninety-two hundred seventeen (9217) and ninety-three hundred one (9301) of the Code, 1931, all relating to the declaration and payment of dividends by a bank or trust company until it first has established a required surplus, was taken up and considered.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 32:

Baldwin	Fisch	McArthur	Reese
Bell of Crawford	Goetsch	Meyer	Shangle
Bell of	Grunewald	Miller	Shaw
Des Moines	Harrington	Millhone	Stevens of
Dewey	Hush	Moore	Decatur
Donohue	Irwin	Mullaney	Stevens of
Doze	Knudson	Parker	Wapello
Driscoll	Malone	Patterson	Valentine
Elthon	Mason	Pendray	

Nays, 1:

Wilson

Absent or not voting, 17:

Anderson	Byers	Geske	Nelson
Aschenbrenner	Calhoun	Hopkins	Roelofs
Beardsley	Chrystal	Husted	Schmidt
Berg	Corwin	Kimberly	Stanley
Billingsley			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 395, a bill for an act to authorize any state bank,

trust company, bank and trust company, banking association or stock savings bank now or hereafter organized under the laws of this state or the conservator, receiver or liquidator thereof, to enter into such contracts, incur such obligations and generally to do such acts as may be appropriate or necessary to take advantage of any and all memberships, loans, subscriptions, contracts, grants, rights or privileges which may, at any time, be available or inure to said banking institutions or their depositors or stockholders, or their conservators, liquidators, or receivers, by virtue of any act or resolution of the Congress of the United States to aid, regulate or safeguard banking institutions and depositors, including the act creating the federal deposit insurance corporation; to empower any such banking institution to subscribe to and acquire any stock or debentures or bonds or other types of securities of said corporation; to authorize a sale of all or any part of the assets of such institutions to the federal deposit insurance corporation, and to authorize receivers and liquidators and the superintendent of banking to borrow money from the federal deposit insurance corporation and to pledge the assets of any of such institutions as security for any such loan; to provide for the subrogation of said corporation to the rights against said closed institutions of all insured depositors, whose deposits have been paid, or for the payment of which funds have been made available; to recognize the right of said corporation to make examinations of and to require reports from such institution, and the exchange of examination reports made by said corporation of any such institutions with the reports of examinations made by the state banking department of any such institutions; to provide for disclosure by said superintendent of banking to said corporation of the condition and affairs of such insured institution and access to the information regarding the same, was taken up and considered.

Senator Harrington offered the following amendment and moved its adoption:

Amend Senate File 395 by striking out section seven (7) thereof, and inserting in lieu thereof the following:

"Sec. 7. Insofar as the provisions of this act may conflict with any other act or parts thereof the provisions of this act shall control."

The motion prevailed and the amendment was adopted.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 27:

Baldwin	Fisch	McArthur	Shangle
Bell of Crawford	Grunewald	Meyer	Shaw
Bell of	Harrington	Miller	Stevens of
Des Moines	Hopkins	Moore	Decatur
Chrystal	Irwin	Mullaney	Stevens of
Doze	Knudson	Patterson	Wapello
Driscoll	Malone	Reese	Valentine
Elthon	Mason		

Nays, 4:

Calhoun	Dewey	Donohue	Wilson
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Absent or not voting, 19:

Anderson	Byers	Husted	Pendray
Aschenbrenner	Corwin	Kimberly	Roelofs
Beardsley	Geske	Millhone	Schmidt
Berg	Goetsch	Nelson	Stanley
Billingsley	Hush	Parker	

The bill as amended having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 396, a bill for an act to amend chapter one hundred nineteen (119) of the laws of the Forty-fifth General Assembly, Extraordinary Session, and authorizing the preferred stock issued as provided for therein, to be included in determining whether state banks, savings banks and trust companies have complied with minimum capital requirements, was taken up and considered.

Senator Valentine offered the following amendment and moved its adoption:

Amend Senate File 396 as follows:

Amend Senate File 396 by striking all of section two (2) thereof and by renumbering the remaining section.

The motion prevailed and the amendment was adopted.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 31:

Baldwin	Driscoll	McArthur	Shangle
Bell of Crawford	Fisch	Meyer	Shaw
Bell of	Goetsch	Miller	Stanley
Des Moines	Grunewald	Moore	Stevens of
Berg	Harrington	Mullaney	Decatur
Byers	Hopkins	Pendray	Stevens of
Chrystal	Hush	Reese	Wapello
Donohue	Knudson	Roelofs	Valentine
Doze	Mason		

Nays, 2:

Calhoun	Dewey
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Absent or not voting, 17:

Anderson	Elthon	Kimberly	Parker
Aschenbrenner	Geske	Malone	Patterson
Beardsley	Husted	Millhone	Schmidt
Billingsley	Irwin	Nelson	Wilson
Corwin			

The bill as amended having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

By unanimous consent granted Senator Fisch the following bills by the committee on claims were taken up for consideration:

Senate File 388, a bill for an act to make appropriations to Maud Emerson Barnhart, William A. Emerson, administrator, Ray Lowrey, Fred Spatz, Harry Lund, R. M. Maples, Earl Connell, Ivan A. Connell, Orville Connell, Rollin Connell, Ross Connell, Mrs. J. W. Kinney, J. W. Daniels, H. F. Carr and Major Elton L. Titus, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 40:

Baldwin	Bell of	Billingsley	Dewey
Beardsley	Des Moines	Calhoun	Donohue
Bell of Crawford	Berg	Chrystal	Doze

Elthon	Knudson	Mullaney	Stanley
Fisch	Malone	Parker	Stevens of
Goetsch	Mason	Patterson	Decatur
Grunewald	McArthur	Pendray	Stevens of
Harrington	Meyer	Reese	Wapello
Hopkins	Miller	Roelofs	Valentine
Hush	Millhone	Shangle	Wilson
Husted	Moore	Shaw	

Nays, none.

Absent or not voting, 10:

Anderson	Corwin	Irwin	Nelson
Aschenbrenner	Driscoll	Kimberly	Schmidt
Byers	Geske		

The bill as amended having received a two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senate File 397, a bill for an act to make appropriations to Simon Warner, Donald Warner, L. C. Meader, John F. Fischer, Clarence A. Altemeir, Harold Manders, Dorothy Manders, Faye Elizabeth Tollari, Julia E. Bell, James E. Bell, Andrew Florine, D. A. Luing, R. E. Frisby, and Frank Comp, was taken up and considered.

Senator Fisch offered the following amendment and moved its adoption:

Amend Senate File 397 as follows:

1. Strike all of section two (2).
2. Renumber the following sections.

The motion prevailed and the amendment was adopted.

Senator Fisch offered the following amendment and moved its adoption:

Amend Senate File 397 by striking therefrom sections six (6) and seven (7).

Also, amend by renumbering the remaining sections.

The motion prevailed and the amendment was adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 34:

Baldwin	Elthon	McArthur	Reese
Bell of Crawford	Fisch	Meyer	Roclofs
Bell of	Goetsch	Miller	Shaw
Des Moines	Grunewald	Millhone	Stevens of
Calhoun	Hopkins	Moore	Decatur
Chrystal	Hush	Mullaney	Stevens of
Corwin	Husted	Parker	Wapello
Dewey	Knudson	Patterson	Valentine
Donohue	Mason	Pendray	Wilson
Doze			

Nays, 1:

Shangle

Absent or not voting, 15:

Anderson	Billingsley	Harrington	Nelson
Aschenbrenner	Byers	Irwin	Schmidt
Beardsley	Driscoll	Kimberly	Stanley
Berg	Geske	Malone	

The bill as amended having received a two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senate File 398, a bill for an act to make appropriations to Homer Ashmore, Blanche Capps, Jones county, Iowa; Ray Murtogh, Bernadine Mitzkowski, Minnie Baars, Stella Kayser, Olga Gomez, Carrie Louise Baars and Esther Mason, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shangle offered the following amendment and moved its adoption:

Amend Senate File 398 by striking all of section three (3) thereof.

The motion to amend was lost.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 40:

Bell of Crawford	Chrystal	Fisch	Hush
Bell of	Corwin	Geske	Husted
Des Moines	Dewey	Goetsch	Knudson
Berg	Donohue	Grunewald	Malone
Byers	Doze	Harrington	Mason
Calhoun	Elthon	Hopkins	McArthur

Meyer	Nelson	Roelofs	Stevens of
Miller	Parker	Shaw	Wapello
Millhone	Patterson	Stanley	Valentine
Moore	Pendray	Stevens of	Wilson
Mullaney	Reese	Decatur	

Nays, 1:

Shangle

Absent or not voting, 9:

Anderson	Beardsley	Driscoll	Kimberly
Aschenbrenner	Billingsley	Irwin	Schmidt
Baldwin			

The bill having received a two-thirds majority was declared to have passed the Senate and the title was agreed to.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendments and passed the following bill in which the concurrence of the House was asked:

House File 497, a bill for an act directing the Governor to issue a patent to Glen Gott.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 499, a bill for an act to levy a tax against motor carriers, also to provide for the administration and enforcement of its provisions.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 516, a bill for an act making an appropriation for payment of typewriter rental and miscellaneous expenses of the Forty-sixth General Assembly, etc.

Also: That the House has passed the following resolution in which the concurrence of the House was asked:

Senate Joint Resolution 8, proposing a constitutional amendment relative to the return of verdicts in civil cases.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 144, a bill for an act relating to the tax levying for fire department maintenance fund.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 227, a bill for an act relating to corporations for pecuniary profit.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 254, a bill for an act providing for the licensing and bonding of warehouse for storage of agricultural products.

VIRGIL LEKIN, *Chief Clerk.*

THIRD READING OF BILLS

Senate File 399, a bill for an act to make appropriations to Leo E. Mooney, Everest Agency, F. W. Bearman, James Z. May, F. D. Hamilton, J. Q. Lauer, Mrs. Anna M. Herrman, G. R. Cooper, J. A. Murphy, E. E. Duer, H. H. Spayde Agency, Ray W. Miller Company, Stanley Hoyne, A. J. Keding Agency, H. C. Modlin Agency, Johnson Abstract Company, Snider, Welsh & Hynes, Murphy Insurance Company, George R. Feltus, Dougherty Insurance Agency, Dick Bell Insurance Agency, Helen C. Johnson, A. C. Klatt, Walter M. Spriggs, John S. Klaus, Gehrig Insurance Agency, Kern Insurance Agency, Reno Rosenthal, John F. Golden, B. L. Belt, Herman C. Miller Company, Frank Jewell, Slavia Realty Company, Ed. S. Lofton & Sons, John Tumelty, Hobbs Insurance Agency, Kretschmer Insurance Agency, J. W. Greenley, James P. Mulqueen, I. M. Lobenstein, P. J. Clancy & Sons Company, Walton Brothers, T. Grant Janney & Sons, C. D. Hutchins, E. J. Murtagh, J. A. Dougherty, William E. Schmich Insurance Agency, Dougherty Insurance Agency, J. P. Goble, Philip Holm, Wissler Insurance Agency, Willis & Moore, Inc., Ruhl & Ruhl, Webster-Hull Insurance Agency, Hopkins & Mulock, Inc., Hopkins & Mulock, Inc., G. A. Holland & Co., C. I. Snyder Co., Snider, Walsh & Hynes, Waterman & Lohmiller, C. W. Bittinger, Tyrell Insurance Co., I. R. Myers Insurance Agency, Continental Mortgage Company, Goldsmith & Co., J. H. Lynch Insurance Agency, A. A. Luchow, F. C. Hendricks, Tom Kelley, Security Title & Investment Company, H. W. Peel & Son, Richardson Brothers, F. P. Baer & Son, J. E. Hull, O. J. Graham & Company, Phoenix Insurance Agency, P. T. Vaughan, William J. Carter & Son, Peter G. Kern, Hoffman Insurance Agency, Don C. Cook Agency, J. M. Welch Agency, R. D. Gray & Company, Frank Jewell, Haines, Johnson & Baker, Brunn Insurance Agency, Ralph T. McElroy, Schlueter Insurance Agency, A. W. Hanson Company, John F. Grete Co., John T. McCarthy, The A. C. Root Agency, Maeglin & Diercks, F. W. Eversmeyer, Fred M. Zeigler, J. W. Topping & Son, James E. Jamison, William F. Kiel & Son, Scherfe Insurance Agency, Heitzman Land & Loan Company, Edward J. Lang, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered

the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 34:

Anderson	Fisch	Miller	Roelofs
Bell of Crawford	Goetsch	Millhone	Schmidt
Bell of	Grunewald	Moore	Shaw
Des Moines	Harrington	Mullaney	Stevens of
Berg	Hush	Nelson	Decatur
Byers	Knudson	Parker	Stevens of
Chrystal	Mason	Patterson	Wapello
Corwin	McArthur	Pendray	Valentine
Donohue	Meyer	Reese	Wilson
Elthon			

Nays, 8:

Beardsley	Dewey	Hopkins	Shangle
Calhoun	Doze	Husted	Stanley

Absent or not voting, 8:

Aschenbrenner	Billingsley	Geske	Kimberly
Baldwin	Driscoll	Irwin	Malone

Rule 8 was invoked.

The bill having received a two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senate File 400, a bill for an act to make appropriations to Griffis Brothers Construction Company, Burch Construction Company, Booth and Olson, and Gus Osterman, was taken up and considered.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 22:

Anderson	Elthon	Mason	Reese
Bell of Crawford	Fisch	McArthur	Schmidt
Bell of	Goetsch	Miller	Stevens of
Des Moines	Harrington	Mullaney	Wapello
Calhoun	Hush	Nelson	Valentine
Donohue	Malone	Pendray	Wilson

Nays, 20:

Beardsley	Grunewald	Millhone	Shangle
Berg	Hopkins	Moore	Shaw
Byers	Husted	Parker	Stanley
Corwin	Knudson	Patterson	Stevens of
Dewey	Meyer	Roelofs	Decatur
Doze			

Absent or not voting, 8:

Aschenbrenner	Billingsley	Driscoll	Irwin
Baldwin	Chrystal	Geske	Kimberly

Rule 8 was invoked.

The bill not having received a two-thirds majority was declared to have failed to pass the Senate.

Senator Shangle moved that the vote by which Senate File 400 failed to pass the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate File 401, a bill for an act to make an appropriation to Earl Wymore, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 36:

Anderson	Elthon	McArthur	Roelofs
Beardsley	Fisch	Meyer	Schmidt
Bell of	Goetsch	Miller	Shangle
Des Moines	Grunewald	Millhone	Shaw
Berg	Harrington	Moore	Stanley
Calhoun	Hopkins	Mullaney	Stevens of
Corwin	Husted	Nelson	Decatur
Dewey	Knudson	Parker	Valentine-
Donohue	Malone	Patterson	Wilson
Doze	Mason		

Nays, none.

Absent or not voting, 14:

Aschenbrenner	Byers	Hush	Reese
Baldwin	Chrystal	Irwin	Stevens of
Bell of Crawford	Driscoll	Kimberly	Wapello
Billingsley	Geske	Pendray	

The bill having received a two-thirds majority was declared to have passed the Senate and the title was agreed to.

House File 492, a bill for an act to make an appropriation to W. J. Conley, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was rejected.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 36:

Anderson	Donohue	Meyer	Shangle
Beardsley	Elthon	Miller	Shaw
Bell of Crawford	Fisch	Millhone	Stanley
Bell of	Goetsch	Moore	Stevens of
Des Moines	Grunewald	Mullaney	Decatur
Eyers	Harrington	Parker	Stevens of
Calhoun	Hopkins	Pendray	Wapello
Chrystal	Hush	Reese	Valentine
Corwin	Malone	Roelofs	Wilson
Dewey	Mason	Schmidt	

Nays, 1:

Patterson

Absent or not voting, 13:

Aschenbrenner	Doze	Husted	Knudson
Baldwin	Driscoll	Irwin	McArthur
Berg	Geske	Kimberly	Nelson
Billingsley			

The bill having received a two-thirds majority was declared to have passed the Senate and the title was agreed to.

House File 493, a bill for an act to make an appropriation to James Spain, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 40:

Anderson	Doze	Meyer	Schmidt
Baldwin	Elthon	Miller	Shangle
Bell of Crawford	Fisch	Millhone	Shaw
Bell of	Goetsch	Moore	Stanley
Des Moines	Grunewald	Mullaney	Stevens of
Berg	Harrington	Nelson	Decatur
Calhoun	Hopkins	Parker	Stevens of
Chrystal	Hush	Patterson	Wapello
Corwin	Husted	Pendray	Valentine
Dewey	Knudson	Reese	Wilson
Donohue	McArthur	Roelofs	

Nays, none.

Absent or not voting, 10:

Aschenbrenner	Byers	Irwin	Malone
Beardsley	Driscoll	Kimberly	Mason
Billingsley	Geske		

The bill having received a two-thirds majority was declared to have passed the Senate and the title was agreed to.

House File 501, a bill for an act to make appropriations to Mrs. Oscar Barnes, O. D. Albrecht, O. Evald Olson, Adolph Wiese, Martin Borlaug, J. C. Robinson, Henry G. Peterson, Everett Harris, Gordon L. Elliott, and W. C. Johnson, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 37:

Anderson	Elthon	Meyer	Roelofs
Baldwin	Fisch	Miller	Schmidt
Bell of Crawford	Goetsch	Millhone	Shaw
Bell of	Grunewald	Moore	Stanley
Des Moines	Harrington	Mullaney	Stevens of
Chrystal	Hush	Nelson	Decatur
Corwin	Husted	Parker	Stevens of
Dewey	Knudson	Patterson	Wapello
Donohue	Mason	Pendray	Valentine
Doze	McArthur	Reese	Wilson

Nays, 1:

Shangle

Absent or not voting, 12:

Aschenbrenner	Billingsley	Driscoll	Irwin
Beardsley	Byers	Geske	Kimberly
Berg	Calhoun	Hopkins	Malone

The bill having received a two-thirds majority was declared to have passed the Senate and the title was agreed to.

By unanimous consent granted Senator Valentine, the rules were suspended and House File 507 was withdrawn from the sifting committee for consideration.

House File 507, a bill for an act to abolish the state board of conservation, the state fish and game commission, and the office of state forestry commissioner, and to impose the rights, powers and duties of said agencies on a new agency which shall be known as the state conservation commission; to create said latter commission and to define its rights, powers and duties; to coordinate various sections of the statutes with said change in the law and to this end to amend or repeal various sections and provisions of the statutes, was taken up and considered.

The bill was read for information.

Senator Stevens of Wapello moved that the reading just had been considered the third reading and the bill be placed on its passage, which motion prevailed, unanimously.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 37:

Anderson	Doze	Mason	Reese
Beardsley	Elthon	McArthur	Schmidt
Bell of Crawford	Fisch	Meyer	Shangle
Bell of	Goetsch	Miller	Shaw
Des Moines	Grunewald	Millhone	Stanley
Byers	Hopkins	Moore	Stevens of
Chrystal	Hush	Mullaney	Decatur
Corwin	Husted	Nelson	Stevens of
Dewey	Knudson	Parker	Wapello
Donohue	Malone	Pendray	Valentine

Nays, 2:

Baldwin Berg

Absent or not voting, 11:

Aschenbrenner	Driscoll	Irwin	Roelofs
Billingsley	Geske	Kimberly	Wilson
Calhoun	Harrington	Patterson	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

By unanimous consent granted Senator Stevens of Wapello, House File 500, a bill for an act to make an appropriation to the bureau of labor for the purpose of carrying out the provisions of chapter sixteen (16), acts of the Forty-fifth General Assembly, Extraordinary Session, with report of committee without recommendation was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Reese moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 37:

Anderson	Doze	Mason	Roelofs
Baldwin	Driscoll	McArthur	Schmidt
Bell of Crawford	Goetsch	Meyer	Shangle
Bell of	Grunewald	Miller	Stanley
Des Moines	Harrington	Moore	Stevens of
Berg	Hopkins	Mullaney	Decatur
Billingsley	Hush	Parker	Stevens of
Byers	Irwin	Patterson	Wapello
Chrystal	Knudson	Pendray	Valentine
Corwin	Malone	Reese	Wilson

Nays, 1:

Dewey

Absent or not voting, 13:

Aschenbrenner	Donohue	Geske	Millhone
Beardsley	Elthon	Husted	Nelson
Calhoun	Fisch	Kimberly	Shaw

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

By unanimous consent granted Senator Wilson, Senate File 249, a bill for an act to amend section seventy-five hundred ninety-e one (7590-c1), Code, 1931, relating to the purchases of tax sale certificates in drainage districts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Kimberly offered the following amendment and moved its adoption:

Amend Senate File 249, section one (1), by inserting after the word "by" in line 5 thereof the following: "any drainage district the board of supervisors shall fail, neglect or refuse to purchase the certificate of sale issued by."

Further amend Senate File 249 by inserting after the word "may" in line 7 thereof a comma.

Further amend Senate File 249 by inserting after the word "section" in line 11 thereof a comma.

The motion prevailed and the amendment was adopted.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 35:

Baldwin	Elthon	Knudson	Roelofs
Bell of Crawford	Fisch	Mason	Shangle
Berg	Goetsch	McArthur	Shaw
Billingsley	Grunewald	Meyer	Stevens of
Byers	Harrington	Millhone	Decatur
Chrystal	Hopkins	Moore	Stevens of
Corwin	Hush	Parker	Wapello
Dewey	Husted	Patterson	Valentine
Donohue	Irwin	Pendray	Wilson
Driscoll			

Nays, none.

Absent or not voting, 15:

Anderson	Calhoun	Malone	Reese
Aschenbrenner	Doze	Miller	Schmidt
Beardsley	Geske	Mullaney	Stanley
Bell of	Kimberly	Nelson	
Des Moines			

The bill as amended having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

SENATE FILE 249 MESSAGED TO HOUSE

By unanimous consent granted Senator Wilson, it was ordered that Senate File 249 be messaged to the House immediately.

THIRD READING OF BILLS

By unanimous consent granted Senator Berg, Senate File 222, a bill for an act to protect trademark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a distinguished trademark, brand or name, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Berg moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 37:

Anderson	Driscoll	Mason	Roelofs
Baldwin	Fisch	McArthur	Schmidt
Bell of Crawford	Grunewald	Meyer	Shangle
Bell of	Harrington	Miller	Shaw
Des Moines	Hopkins	Millhone	Stevens of
Berg	Hush	Moore	Decatur
Billingsley	Husted	Nelson	Stevens of
Calhoun	Irwin	Parker	Wapello
Chrystal	Knudson	Patterson	Valentine
Dewey	Malone	Reese	Wilson

Nays, none.

Absent or not voting, 13:

Aschenbrenner	Donohue	Geske	Mullaney
Beardsley	Doze	Goetsch	Pendray
Byers	Elthon	Kimberly	Stanley
Corwin			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Berg moved that the vote by which Senate File 222 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has refused to concur in Senate Amendments to the following bill in which the concurrence of the House was asked:

Substitute for House File 214, a bill for an act to establish the general fund for the state of Iowa, for the biennium beginning July 1, 1935.

Also: That the House has concurred in Senate amendments and passed the following bill in which the concurrence of the House was asked:

House File 506, a bill for an act relating to public deposits.

VIRGIL LEKIN, *Chief Clerk.*

THIRD READING OF BILLS

Senator Moore was granted unanimous consent to suspend the rules and withdraw House File 503 from the sifting committee for consideration.

House File 503, a bill for an act to legalize the renewal of the corporate period of the New Nonpareil Company of Council Bluffs, Iowa, was taken up and considered.

The bill was read for information.

Senator Moore moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 40:

Anderson	Doze	Mason	Pendray
Baldwin	Driscoll	McArthur	Reese
Beardsley	Goetsch	Meyer	Roelofs
Bell of Crawford	Grunewald	Miller	Schmidt
Bell of	Harrington	Millhone	Shangle
Des Moines	Hopkins	Moore	Shaw
Billingsley	Hush	Mullaney	Stanley
Calhoun	Husted	Nelson	Stevens of
Chrystal	Irwin	Parker	Wapello
Corwin	Knudson	Patterson	Wilson
Dewey	Malone		

Nays, none.

Absent or not voting, 10:

Aschenbrenner	Donohue	Geske	Stevens of
Berg	Elthon	Kimberly	Decatur
Byers	Fisch		Valentine

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE FILE 503 MESSAGED TO HOUSE

By unanimous consent granted Senator Moore, it was ordered that House File 503 be messaged to the House immediately.

COPIES SUBSTITUTE COMMITTEE REPORT ORDERED

Senator Hopkins was granted unanimous consent to have 1200 copies of the committee report filed as a substitute for that of the committee appointed under House Concurrent Resolution 6, and as found on pages 1285-1293, inclusive, of the Senate Journal, printed.

Senator Roelofs asked unanimous consent that Senate Concurrent Resolution 21, as found on page 954 of the Senate Journal, be taken up and considered. Objections were raised and the request was denied.

Senator Roelofs moved that the Senate consider Senate Concurrent Resolution 21 at this time.

Senator Shangle moved that the Senate recess until the fall of the gavel, which motion prevailed. The Senate reconvened at the fall of the gavel, President N. G. Kraschel presiding.

By unanimous consent Senator Roelofs withdrew his motion.

HOUSE MESSAGE CONSIDERED

Senator Stevens of Wapello was granted unanimous consent that the rules be suspended and that the House message on Senate amendments to the substitute for House File 214 be considered immediately.

Senator Stevens of Wapello moved that the Senate insist on its amendments to the substitute for House File 214 in which the House refused to concur.

The question was, Shall the Senate insist?

On the question, Shall the Senate insist? the vote was:

Ayes, 39:

Anderson	Elthon	Mason	Reese
Baldwin	Fisch	McArthur	Roelofs
Beardsley	Goetsch	Meyer	Schmidt
Bell of	Grunewald	Miller	Shangle
Des Moines	Harrington	Millhone	Shaw
Berg	Hopkins	Moore	Stanley
Calhoun	Hush	Mullaney	Stevens of
Corwin	Husted	Parker	Wapello
Dewey	Irwin	Patterson	Valentine
Doze	Malone	Pendray	Wilson
Driscoll			

Nays, none.

Absent or not voting, 11:

Aschenbrenner	Byers	Geske	Nelson
Bell of Crawford	Chrystal	Kimberly	Stevens of
Billingsley	Donohue	Knudson	Decatur

The motion prevailed and the Senate insisted upon its amendments to the substitute for House File 214.

CONFERENCE COMMITTEE ON SUBSTITUTE FOR HOUSE FILE 214

The President appointed as the Senate members of the conference committee on the substitute for House File 214, Senators Stevens of Wapello, McArthur, Driscoll and Hush.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 186, 203 and 379.

JOHN N. CALHOUN, *Chairman Senate Committee.*
DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files 186, 203 and 379.

Senator Stevens of Wapello was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate Joint Resolution 12, by committee on appropriations, a joint resolution creating a legislative council, prescribing its duties and providing an appropriation therefor.

The joint resolution was read first and second times and placed on the calendar.

HOUSE MESSAGES CONSIDERED

House File 499, a bill for an act to amend chapter three hundred fifty-two-A two (352-A2), sections fifty-one hundred five-a forty (5105-a40), fifty-one hundred five-a forty-one (5105-a41) and fifty-one hundred five-a forty-five (5105-a45), Code, 1931; to repeal sections fifty-one hundred five-c nine (5105-c9) to fifty-one hundred five-c twelve (5105-c12), inclusive, Code, 1931; to repeal sections fifty-one hundred five-a fifty-four (5105-a54) to fifty-one hundred five-a fifty-six (5105-a56), inclusive, Code, 1931, and to enact substitutes therefor; to define a motor vehicle; to levy a tax against motor carriers for the administrations of chapters two hundred fifty-two-A one (252-A1) and two hundred fifty-two-A two (252-A2), Code of Iowa, 1931; and for the construction, maintenance, repair and reconstruction of the highways; to provide for the collection of said tax by the board of railroad commissioners; to provide for the distribution and disbursement of the proceeds of said tax; to provide that no motor carrier shall hereafter operate as a motor carrier without having obtained from the board of railroad commissioners a permit so to do; to provide for the payment of a permit fee by motor carriers; to provide for certain exemptions from the provisions of this act, and to provide for the administration and enforcement of the provisions of this act.

The bill was read first and second times and referred to the sifting committee.

House File 516, a bill for an act making an appropriation for the payment of typewriter rental, miscellaneous expenses of the Forty-sixth General Assembly, and other expenses that are payable from the general fund of the state.

The bill was read first and second times and referred to committee on appropriations.

EXCERPTS OF THE MINUTES OF THE WARRANTS INVESTIGATION COMMITTEE IN EXECUTIVE SESSION

I move you Mr. Chairman that this committee make a supplementary report to the House and Senate to the effect that since the filing of its report there has come to the attention of some of the members of the committee, to wit: Moore, Billingsley and Cunningham, information that there may be more evidence of sufficient importance in the investigating

of the warrant sales and gasoline tax refund matters, and other matters pertaining thereto, that said report should recommend the appointment of a new interim committee carrying with it a sufficient appropriation to make further investigation according to the facts that may be disclosed.

The following voted aye:

H. L. IRWIN.

T. F. DRISCOLL.

JOHN W. BILLINGSLEY.

C. D. MOORE.

THOMAS STIMPSON.

PAUL H. CUNNINGHAM.

The nays were none.

Dated April 27, 1935.

AMENDMENTS FILED

Amend Senate File 257, section one (1), line 4 by striking all after the word "any" thereof, to and including the word "slot" in line 7 and substituting in lieu thereof the following: "devices or machines except merchandise or service amusement machines."

Amend Senate File 257, section two (2), line 4 by striking the word "amusement."

Amend Senate File 257, subsection three (3) of section eleven (11) by striking all of said subsection and substituting in lieu thereof the following: "A coin operating device machine as provided for in this act which means a machine in which 'coins' or 'chips' are inserted, which machine when operated automatically, emits 'coins' or 'chips' that have value of exchange."

Amend Senate File 257, section five (5), line 16 by adding after the word "left" the following: "One class B license may be issued for each device or machine as follows: One class B license for each three hundred (300) population or fraction thereof."

Further amend Senate File 257 by inserting the following as section twelve (12): "Sec. 12. A device so licensed shall not be construed to be used or kept in violation of chapter five hundred ninety-three (593) of the Code, 1931, as amended."

Renumber remaining section.

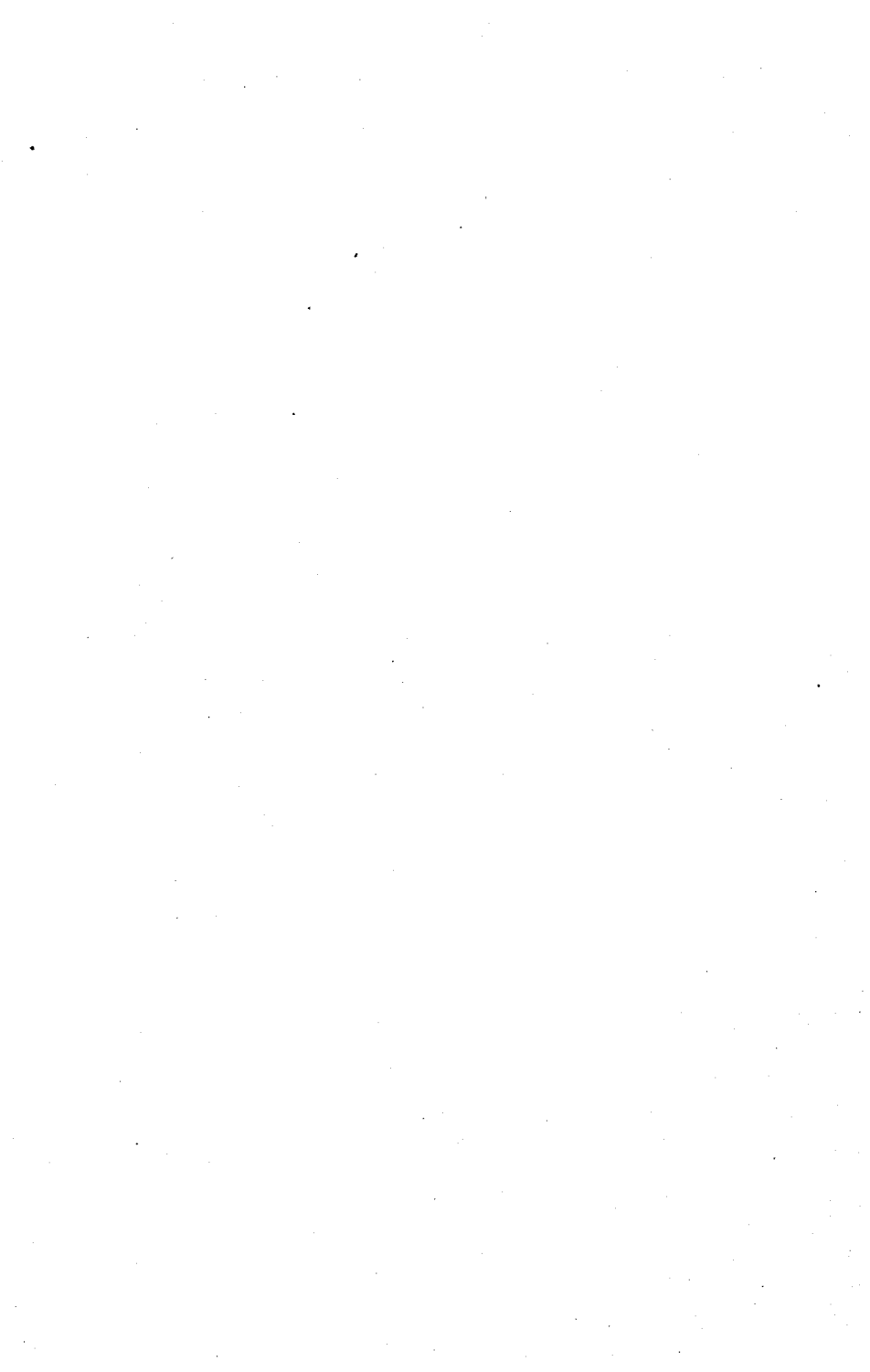
Amend the title to Senate File 257 by striking the word "slot" in line 2 thereof.

VINCENT F. HARRINGTON.

Amend Senate File 404, section six (6), by inserting "Sigourney Review", a newspaper published at "Sigourney", Iowa and the "Cascade Pioneer", a newspaper published at "Cascade", Iowa.

E. I. MASON.

On motion of Senator Schmidt, the Senate recessed until the fall of the gavel.



The Senate reconvened at the fall of the gavel, President N. G. Kraschel presiding.

THIRD READING OF BILLS

By unanimous consent granted Senator Valentine, House Files 116, 119, and 136 were called up for consideration.

House File 116, a bill for an act to repeal chapter one hundred thirty-eight (138), acts Forty-fifth General Assembly, relating to the restoration or replenishment of the state sinking fund for public deposits with funds obtained from the Reconstruction Finance Corporation and other agencies, was taken up and considered.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 39:

Aschenbrenner	Driscoll	Malone	Schmidt
Baldwin	Elthon	Mason	Shangle
Beardsley	Fisch	Meyer	Shaw
Bell of Crawford	Goetsch	Miller	Stanley
Berg	Grunewald	Millhone	Stevens of
Billingsley	Harrington	Mullaney	Decatur
Calhoun	Hopkins	Patterson	Stevens of
Chrystal	Hush	Pendray	Wapello
Corwin	Kimberly	Reese	Valentine
Dewey	Knudson	Roelofs	Wilson
Donohue			

Nays, none.

Absent or not voting, 11:

Anderson	Byers	Husted	Moore
Bell of	Doze	Irwin	Nelson
Des Moines	Geske	McArthur	Parker

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 119, a bill for an act to amend section eighty-nine hundred forty (8940), Code, 1931, by striking out certain provisions relating to the inurement of policies of insurance to the

benefit of one who has obtained a judgment against the insured, to repeal section nine thousand seventy-one (9071) of said code, and to enact a substitute for such stricken and repealed provisions, and to provide the time in which an action to enforce such inurement may be brought, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Byers moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 42:

Aschenbrenner	Dewey	Knudson	Roelofs
Baldwin	Donohue	Malone	Schmidt
Beardsley	Driscoll	Mason	Shangle
Bell of Crawford	Elthon	McArthur	Shaw
Bell of	Goetsch	Meyer	Stanley
Des Moines	Grunewald	Miller	Stevens of
Berg	Harrington	Millhone	Decatur
Billingsley	Hopkins	Mullaney	Stevens of
Byers	Hush	Patterson	Wapello
Calhoun	Irwin	Pendray	Valentine
Chrystal	Kimberly	Reese	Wilson
Corwin			

Nays, none.

Absent or not voting, 8:

Anderson	Fisch	Husted	Nelson
Doze	Geske	Moore	Parker

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 136, a bill for an act so to amend sections fifty-one hundred sixty-nine-a two (5169-a2) to fifty-one hundred sixty-nine-a nine (5169-a9), inclusive, Code, 1931, [except sections fifty-one hundred sixty-nine-a six (5169-a6) and fifty-one hundred sixty-nine-a eight (5169-a8)] as to render said sections harmonious with chapter four (4), acts Forty-fifth General Assembly, otherwise known as the "Budget and Financial Control Act," all said sections having relation to the replacement of losses of public funds in the hands of county treasurers, was taken up and considered.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 39:

Aschenbrenner	Corwin	Kimberly	Reese
Baldwin	Dewey	Knudson	Roelofs
Beardsley	Donohue	Mason	Shangle
Bell of Crawford	Driscoll	McArthur	Shaw
Bell of	Elthon	Meyer	Stevens of
Des Moines	Fisch	Miller	Decatur
Berg	Goetsch	Millhone	Stevens of
Billingsley	Grunewald	Mullaney	Wapello
Byers	Harrington	Patterson	Valentine
Calhoun	Hopkins	Pendray	Wilson
Chrystal	Hush		

Nays, none.

Absent or not voting, 11:

Anderson	Husted	Moore	Schmidt
Doze	Irwin	Nelson	Stanley
Geske	Malone	Parker	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

COPIES OF EMERGENCY RELIEF PAMPHLET ORDERED DISTRIBUTED

By unanimous consent granted Senator Stevens of Wapello, it was ordered that a copy of the pamphlet "The activities of the Iowa Emergency Relief Administration," for the period from January 19, 1933 through December, 1934, be distributed to each Senator.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 26, 76, 143, 223, 357 and 391.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 26, 76, 143, 223, 357 and 391.

BILLS SENT TO THE GOVERNOR

Senator Calhoun, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully report they have on this 23rd day of April, 1935, sent to the Governor for his approval Senate Files 26, 76, 143, 223, 357 and 391.

JOHN N. CALHOUN, *Chairman.*

Passed on file.

THIRD READING OF BILLS

By unanimous consent granted Senator Kimberly, Senate File 379, a bill for an act to legalize expenditures heretofore made by the city of Davenport, Iowa, a municipal corporation acting under special charter, on account of the care, maintenance and operations of a municipal airport, was taken up and considered.

The bill was read for information.

Senator Kimberly moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 43:

Aschenbrenner	Dewey	Kimberly	Pendray
Baldwin	Donohue	Knudson	Reese
Beardsley	Driscoll	Malone	Roelofs
Bell of Crawford	Elthon	Mason	Schmidt
Bell of	Fisch	McArthur	Shangle
Des Moines	Goetsch	Miller	Shaw
Berg	Grunewald	Millhone	Stanley
Billingsley	Harrington	Mullaney	Stevens of
Byers	Hopkins	Nelson	Decatur
Calhoun	Hush	Parker	Valentine
Chrystal	Irwin	Patterson	Wilson
Corwin			

Nays, none.

Absent or not voting, 7:

Anderson	Geske	Meyer	Stevens of
Doze	Husted	Moore	Wapello

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 385, a bill for an act to make an appropriation to the treasurer of Polk county, Iowa, for paving assessment against the state of Iowa, was taken up and considered.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 41:

Aschenbrenner	Driscoll	Mason	Schmidt
Baldwin	Fisch	McArthur	Shangle
Beardsley	Goetsch	Meyer	Shaw
Bell of Crawford	Grunewald	Miller	Stanley
Berg	Harrington	Millhone	Stevens of
Billingsley	Hopkins	Mullaney	Decatur
Byers	Hush	Nelson	Stevens of
Calhoun	Husted	Patterson	Wapello
Corwin	Kimberly	Pendray	Valentine
Dewey	Knudson	Reese	Wilson
Donohue	Malone	Roelofs	

Nays, none.

Absent or not voting, 9:

Anderson	Chrystal	Geske	Moore
Bell of	Doze	Irwin	Parker
Des Moines	Elthon		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson moved that the vote by which Senate File 385 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent granted Senator Stevens of Wapello, Senate Joint Resolution 12, a joint resolution creating a legislative council, prescribing its duties and providing an appropriation therefor, was taken up and considered.

The joint resolution was read for information.

President pro tempore Harold L. Irwin was called to the chair.

Senator Roelofs offered the following amendment and moved its adoption:

Amend Senate Joint Resolution 12 as follows:

Strike all after the enacting clause and insert in lieu thereof the following:

"Section 1. That a joint bi-partisan legislative committee is hereby created to be known as the Legislative Advisory Committee. Such committee shall consist of eight (8) members, including three (3) members from the House of Representatives, to be named by the Speaker of the House, three (3) members from the Senate, to be named by the Lieutenant Governor, and two (2) members appointed by the Governor. Those to be appointed by the Governor shall be outstanding citizens of the state of Iowa and may be officers of the state. One (1) appointee from the House and one (1) appointee from the Senate and one (1) appointee named by the Governor shall belong to the major minority political party.

"Sec. 2. The committee shall be charged with the following duties: It shall make careful study of tax questions, using where available the results of former investigations, including that of the Brookings Institute; shall make such study of tax burdens, inequalities and remedies, and in this connection may confer with representatives and officials of other states with a view to greater uniformity as between the states in their taxation systems; shall specifically study the question of tax regulation with respect to the use of our highways and have authority to confer with officials of surrounding states for the purpose of establishing reasonable uniformity in rates, regulation, and enforcement so far as they affect interstate transportation; shall make careful study and report with respect to the laws of the state of Iowa under the present plan of distribution of the benefits of the three-point tax law; and that said committee be and the same is hereby authorized to draft bills covering subjects which in their judgment should receive immediate attention of the next General Assembly, and make recommendations in concrete form for the consideration of the next General Assembly to the end that undue expense and delay may be avoided; and the specific duties hereby imposed upon such committee shall not preclude it from studying other proper legislative subjects and from participating in interstate conferences on subjects of public concern and making reports and recommendations thereon.

"Sec. 3. The committee is specifically authorized to perfect the participation of this state in the Council of State Governments, for the purpose of establishing and maintaining governmental machinery to facilitate communication, negotiation, understanding and cooperation between the state of Iowa and the other states of the Union, both regionally and nationally. For the purposes set out in this section the members of the committee shall constitute the Iowa Council of the American Legislators Association.

"Sec. 4. This committee shall elect its chairman, adopt rules and prescribe time of meetings. Vacancies on the committee shall be filled in the same manner that the original appointments were made. The Speaker of the present House shall retain authority to fill vacancies occurring among the House appointees.

"Sec. 5. There is hereby appropriated from the general fund the sum of ten thousand (10,000) dollars for the necessary and reasonable expenses of the committee. The members of the committee shall receive traveling and living expenses only, incurred while on business of the committee. The committee is authorized to employ clerical and other help, purchase necessary supplies and postage, provide for office space for its use, and incur such other reasonable expenses as it may deem necessary to properly carry on its work.

"Sec. 6. The committee shall transmit its recommendations to the Forty-seventh General Assembly at or prior to the opening of such assembly in the form of a printed report with sufficient copies for distribution to all members of such assembly and all elective state officials."

Amend the title by adding at the end thereof the following as a new paragraph:

"Whereas, There is constant confusion and there are frequent competitions and conflicts between the states of the Union in their laws and their administrative practices concerning taxation, labor, commerce, agriculture, liquor traffic, motor vehicles, crime prevention, public welfare, and many other subjects of government with which this state is vitally concerned."

Senator Reese moved the previous question on the amendment, which motion prevailed.

Roll call was requested.

The question was, Shall the amendment be adopted?

On the question, Shall the amendment be adopted? the vote was:

Ayes, 24:

Aschenbrenner	Donohue	Knudson	Shaw
Baldwin	Doze	Malone	Stanley
Beardsley	Grunewald	Meyer	Stevens of
Bell of Crawford	Harrington	Millhone	Wapello
Berg	Hush	Roelofs	Valentine
Chrystal	Irwin	Schmidt	Wilson
Corwin			

Nays, 23:

Bell of	Fisch	McArthur	Patterson
Des Moines	Goetsch	Miller	Pendray
Billingsley	Hopkins	Moore	Reese
Calhoun	Husted	Mullaney	Shangle
Dewey	Kimberly	Nelson	Stevens of
Driscoll	Mason	Parker	Decatur
Elthon			

Absent or not voting, 3:

Anderson	Byers	Geske
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Rule 8 was invoked.

The motion prevailed and the amendment was adopted.

Senator Wilson was called to the chair.

Senator Shangle offered the following amendment and moved its adoption:

Amend Senate Joint Resolution 12, section five (5), line 2, as follows: Insert after the word "dollars" in line 2, section five (5), the words "or so much thereof as may be necessary."

The motion prevailed and the amendment was adopted.

Senator McArthur moved the previous question, which motion prevailed.

President N. G. Kraschel returned to the chair.

Senator Roelofs moved that the reading just had been considered the third reading and the joint resolution be placed on its passage, which motion prevailed.

The question was, Shall the joint resolution as amended be adopted?

On the question, Shall the joint resolution as amended be adopted? the vote was:

Ayes, 18:

Anderson	Donohue	Malone	Stanley
Aschenbrenner	Doze	Meyer	Stevens of
Baldwin	Harrington	Roelofs	Wapello
Beardsley	Hush	Schmidt	Valentine
Chrystal	Knudson	Shaw	

Nays, 27:

Berg	Elthon	Mason	Patterson
Billingsley	Fisch	McArthur	Pendray
Byers	Goetsch	Miller	Reese
Calhoun	Grunewald	Millhone	Shangle
Corwin	Hopkins	Mullaney	Stevens of
Dewey	Husted	Nelson	Decatur
Driscoll	Kimberly	Parker	Wilson

Absent or not voting, 5:

Bell of Crawford	Bell of	Geske	Moore
	Des Moines	Irwin	

The joint resolution not having received a constitutional majority was declared to have failed to pass the Senate.

Senator Calhoun moved that the vote by which Senate Joint Resolution 12 failed to pass the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Malone moved that Senate File 328 be withdrawn from the sifting committee and placed on the calendar.

On motion of Senator Schmidt, the Senate recessed until the fall of the gavel.

The Senate reconvened at the fall of the gavel, President N. G. Kraschel presiding.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 132, 133, 167, 173, 266 and 443.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files 132, 133, 167, 173, 266 and 443.

REPORT OF COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

H. F. 454	S. F. 333
H. F. 471	S. F. 334
S. F. 206	S. F. 360
S. F. 361	

H. L. IRWIN, *Chairman.*

Roll call was requested on the pending Malone motion.

The question was, Shall Senate File 328 be withdrawn from the sifting committee?

On the question, Shall Senate File 328 be withdrawn from the sifting committee? the vote was:

Ayes, 22:

Aschenbrenner	Elthon	Meyer	Shangle
Bell of Crawford	Goetsch	Miller	Shaw
Berg	Grunewald	Nelson	Stanley
Chrystal	Hopkins	Parker	Stevens of
Doze	Knudson	Pendray	Decatur
Driscoll	Malone	Reese	

Nays, 17:

Baldwin	Dewey	Millhone	Stevens of
Beardsley	Donohue	Moore	Wapello
Byers	Harrington	Patterson	Valentine
Calhoun	Hush	Roelofs	Wilson
Corwin	Husted		

Absent or not voting, 11:

Anderson	Billingsley	Irwin	Mason
Bell of	Fisch	Kimberly	Mullaney
Des Moines	Geske	McArthur	Schmidt

Rule 8 was invoked.

The motion was lost.

SENATE FILE 365 PLACED ON CALENDAR

Senator Malone moved that Senate File 365 be withdrawn from the sifting committee and be placed on the calendar.

Roll call was requested.

The question was, Shall Senate File 365 be withdrawn from the sifting committee?

On the question, Shall Senate File 365 be withdrawn from the sifting committee? the vote was:

Ayes, 32:

Aschenbrenner	Driscoll	Malone	Patterson
Baldwin	Elthon	Mason	Pendray
Beardsley	Goetsch	McArthur	Reese
Berg	Grunewald	Meyer	Shangle
Calhoun	Harrington	Miller	Shaw
Chrystal	Hopkins	Moore	Stanley
Corwin	Husted	Mullaney	Stevens of
Donohue	Knudson	Nelson	Decatur
Doze			

Nays, 2:

Byers	Dewey
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Absent or not voting, 16:

Anderson	Fisch	Millhone	Stevens of
Bell of Crawford	Geske	Parker	Wapello
Bell of	Hush	Roelofs	Valentine
Des Moines	Irwin	Schmidt	Wilson
Billingsley	Kimberly		

The motion prevailed and the bill was placed on the calendar.

Senator Malone asked unanimous consent that Senate File 365 be considered at this time. Objections were raised and the request was denied.

Senator Malone moved that Senate File 365 be made a special order of business to be considered immediately following the next recess of the Senate. By unanimous consent, Senator Malone withdrew his motion.

Senator Malone moved that Senate File 365 be considered immediately following the disposition of the conference committee report on the substitute for House File 214.

Roll call was requested.

The question was, Shall the bill be considered?

On the question, Shall the bill be considered? the vote was:

Ayes, 24:

Aschenbrenner	Goetsch	McArthur	Reese
Berg	Grunewald	Meyer	Roelofs
Calhoun	Hopkins	Miller	Shangle
Chrystal	Hush	Mullaney	Shaw
Corwin	Malone	Nelson	Stevens of
Doze	Mason	Pendray	Decatur
Elthon			

Nays, 18:

Baldwin	Dewey	Knudson	Stanley
Beardsley	Donohue	Millhone	Stevens of
Bell of	Driscoll	Moore	Wapello
Des Moines	Harrington	Parker	Valentine
Byers	Husted	Patterson	Wilson

Absent or not voting, 8:

Anderson	Billingsley	Geske	Kimberly
Bell of Crawford	Fisch	Irwin	Schmidt

The motion, not having received a two-thirds majority, was lost.

Senator Wilson raised the point of order that a two-thirds majority was necessary to suspend the rules. The point was sustained.

HOUSE FILE 239 PLACED ON CALENDAR

Senator Nelson moved that House File 239 be withdrawn from the sifting committee and be placed on the calendar.

Roll call was requested.

The question was, Shall House File 239 be withdrawn from the sifting committee?

On the question, Shall House File 239 be withdrawn from the sifting committee? the vote was:

Ayes, 28:

Anderson	Billingsley	Hopkins	Parker
Aschenbrenner	Chrystal	Irwin	Patterson
Baldwin	Corwin	Knudson	Reese
Beardsley	Donohue	Meyer	Roelofs
Bell of Crawford	Doze	Miller	Stevens of
Bell of	Driscoll	Moore	Decatur
Des Moines	Grunewald	Nelson	Valentine
Berg	Harrington		

Nays, 18:

Byers	Goetsch	McArthur	Shangle
Calhoun	Hush	Millhone	Shaw
Dewey	Husted	Mullaney	Stanley
Elthon	Malone	Pendray	Wilson
Fisch	Mason		

Absent or not voting, 4:

Geske	Kimberly	Schmidt	Stevens of Wapello
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Rule 8 was invoked.

The motion to withdraw House File 239 from the sifting committee prevailed.

Senator Elthon moved that all bills on the calendar, excepting appropriation committee bills, legalizing acts, and bills acted upon by both the House and Senate, be returned to the sifting committee.

Senator Malone moved to amend the Elthon motion to also except Senate File 365.

Senator Donohue moved the previous question, which motion prevailed.

The motion to amend by Senator Malone prevailed and the amendment was adopted.

The question was, Shall the Elthon motion, as amended, prevail?

Roll call was requested.

On the question, Shall the Elthon motion, as amended, prevail? the vote was:

Ayes, 27:

Aschenbrenner	Doze	Malone	Roelofs
Beardsley	Elthon	Mason	Shaw
Billingsley	Fisch	McArthur	Stanley
Byers	Goetsch	Millhone	Stevens of
Calhoun	Hopkins	Mullaney	Wapello
Corwin	Hush	Patterson	Valentine
Dewey	Husted	Pendray	Wilson

Nays, 19:

Anderson	Chrystal	Knudson	Parker
Baldwin	Donohue	Meyer	Reese
Bell of Crawford	Driscoll	Miller	Shangle
Bell of Des Moines	Grunewald	Moore	Stevens of Decatur
Berg	Harrington	Nelson	

Absent or not voting, 4:

Geske	Irwin	Kimberly	Schmidt
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The motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE FILE 320 CONSIDERED

By unanimous consent granted Senator Driscoll, the conference committee report on Senate File 320, as follows, was taken up for consideration:

REPORT OF CONFERENCE COMMITTEE ON SENATE FILE 320

MR. PRESIDENT and MR. SPEAKER: We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House on Senate File 320, being a bill for an act to amend chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session as amended, relating to the sale and distribution of beer by certain class "B" permittees, providing for the issuance of such permits, etc., beg leave to report that we have had the same under consideration and recommend that the House recede from its amendments and that the bill, as passed by the Senate, be amended by striking all after the enacting clause and substituting in lieu thereof the following (which is Senate File 320 with certain of the House amendments incorporated):

"Section 1. Chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, is amended by striking out subsection 'b' of section six (6) of said act, and inserting in lieu thereof the following:

'b. "Permit board" shall mean the state permit board composed of the treasurer of state, the secretary of state, and the auditor of state, of the state of Iowa.'

Said chapter twenty-five (25) is further amended by striking out subsection "e" of section six (6) of said act, and inserting in lieu thereof the following:

'e. The term "good moral character" shall not be construed to include the following: Any person, firm or corporation who, preceding the making of an application for any permit under provisions of this act, has been found guilty of violating any of the provisions of the beer act or any of the intoxicating liquor laws of the state or who has been convicted of a felony or an indictable misdemeanor.'

"Sec. 2. Further amend said chapter twenty-five (25), acts of the

Forty-fifth General Assembly in Extraordinary Session, as amended, by adding at the end of section seven (7) of said chapter a new paragraph which shall be as follows:

'In order to promote uniform compliance with the provisions of this act there is hereby created a state permit board to be composed of the treasurer of state, who shall be the chairman thereof, the secretary of state, and the auditor of state, which board shall issue state permits and shall have the power to revoke the same upon hearing as provided in this act and to review actions of the city or town councils, including cities under special charter, and boards of supervisors, in refusing to revoke permits, as hereinafter provided. The permit board shall serve without additional compensation. The permit board shall meet on the first Monday in each month for a regular meeting, and upon call at any time. The majority of its members shall constitute a quorum but no final action shall be taken in the revocation of a permit without a majority vote. In the event it should be impossible for any of the officials designated as members of this board to be present at any meeting of the board, such official may designate a deputy or assistant in his department to attend such meeting or meetings and act for him and in his stead but at no meeting shall any final decision of the board be made unless at least two (2) members thereof are present in person.'

"Sec. 3. Section eight (8) of said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, is amended as follows:

'1. Insert immediately preceding the word "and" in line 11 the words "and to clubs as defined in section nineteen (19)."

2. Add at the end of said section eight (8) the following:

'Each applicant applying for a class "B" or "C" permit, shall, in addition to procuring a permit from a city or town council, or board of supervisors, as provided in this act, obtain a state permit from the state permit board upon application made to the board and upon payment of a fee of three (3) dollars. Such fees collected shall be placed in a special fund by the treasurer of state to be used by the state permit board for the purpose of enforcing the provisions of this act.

'Upon the issuance of a permit by a city or town council, or board of supervisors, such council or board shall forthwith certify to the state permit board the action so taken. The state permit board shall promptly issue a state permit to all applicants to whom a permit has been issued by a city or town council or by a board of supervisors, which shall expire at the same time as the permit issued by said council or board, and shall forthwith certify to such council or board as to the issuance of each permit.

'Upon the revoking of a permit by any city or town council or board of supervisors, such council or board shall forthwith certify to the state permit board the action so taken, and thereupon the state permit board shall immediately cancel its permit to such permit holder, and such action of the state permit board and other granting authority shall be final.'

"Sec. 4. Section twelve (12) of said chapter twenty-five (25), acts

of the Forty-fifth General Assembly in Extraordinary Session, as amended, is amended as follows:

Strike all after the comma in line 18 of said section, and strike lines 19, 20, 21, 22 and 23, and insert in lieu thereof the following: 'and is located within a business district or an area now or hereafter zoned as a business district.'

"Sec. 5. Section sixteen (16) of said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, is amended by adding at the end of said section the following: 'and that no sale or delivery shall be made from twelve (12) o'clock midnight until seven (7) o'clock a. m. and no sale or delivery on Sunday.'

"Sec. 6. Chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, is amended by striking section thirty-four (34) of said chapter and inserting in lieu thereof the following:

'Sec. 34. It is expressly provided, any provision of this chapter to the contrary notwithstanding, that cities and towns, including cities under special charter, and boards of supervisors, shall have the power and authority to revoke any permit issued under their authority for a violation of any of the provisions of this act, or any ordinance adopted by a city or town under the provisions hereof, or any rule or regulation adopted by a board of supervisors, or for any cause which, in the judgment of the governing body, may be inimical to or prevent the carrying out of the intent and purpose of this act. Any permit revoked as in this act provided shall not be renewed or a new permit shall not be granted to the same person for a period of one year from the date of revocation; further, the governing body may refuse to issue a permit effective on the same premises to any other person for a period of one (1) year from the date of revocation. Cities and towns, including cities under special charter, are hereby empowered to adopt ordinances for the enforcement of chapter twenty-five (25) of the acts of the Forty-fifth General Assembly in Extraordinary Session, as amended by this act, and are further empowered to adopt ordinances providing for the limitation of class "B" permits but shall not limit the number of such permits in any town of one thousand (1,000) population or less to less than two (2), and in cities and towns of over one thousand (1,000) population to less than two (2) permits for the first one thousand (1,000) population and one (1) for each additional one thousand (1,000) population, or fraction thereof; and, subject to the express provisions of section twenty-three (23) of chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, for the fixing of the hours during which beer may be sold and consumed in the places of business of class "B" permittees, except hotels and clubs as contemplated in chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, but this exception shall not include restaurants located in hotels, and further providing that, subject to the express provisions of said section twenty-three (23), no sale or consumption of beer shall be allowed in the premises of a class "B" permittee, except hotels and clubs as above provided, between the hours of 1:00 a. m.

and 6:00 a. m.; and for the location of the premises of class "B" permittees; and for the prohibiting or regulating of dancing in places where beer is sold; and are empowered to adopt ordinances, not in conflict with the provisions of chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session as amended by this act, governing any other activities or matters which may affect the sale and distribution of beer under class "B" permits and the welfare and morals of the community involved.'

"Sec. 7. Further amend said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, by inserting after the comma following the word 'bootlegging' in line 3 in section thirty-one (31) thereof the following: 'or who is guilty of the sale or dispensing of wines or spirits in violation of the law, or who shall allow the mixing or adding of alcohol to beer on the premises of the permittee, or who shall be guilty of the violation of this chapter as amended, or of any ordinances enacted by any city or town as provided for in this act.'

"Sec. 8. Further amend said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, by striking from section twenty-five (25) of said chapter all of line 7 after the period following the word 'dollars' in said line, and by striking all of line 8, and by striking all that part of line 9 to and including the period, and inserting in lieu thereof the following: 'The annual permit fee for a class "B" permit, except class "B" permits issued to hotels, clubs as contemplated in chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, and golf or country clubs, shall be fixed by the authorities empowered by this act to issue permits, but the amount of said permit fee shall not be less than one hundred (100) dollars, nor more than three hundred (300) dollars.'

"Sec. 9. Further amend said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended by adding a new section as follows: 'All class "B" permits, except permits issued to golf or country clubs under the provisions of chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, shall terminate as of July 1, 1935. The authorities empowered by this act to issue permits shall refund the permit holder an amount proportionate to the unexpired term of the permit, except in cases where the county has received one-half ($\frac{1}{2}$) of the permit fee and in such cases the county shall refund one-half ($\frac{1}{2}$) of the said proportionate amount and the granting authority the other one-half ($\frac{1}{2}$). All class "B" permits, except class "B" permits issued to golf or country clubs, shall expire on July first after the date of issuance.'

"Sec. 10. Further amend said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, by striking lines 4 to 11 inclusive of section thirty-three (33) thereof, being subdivision 'a', and substituting therefor the following:

'a. All permit fees collected under the provisions of this act by any municipality shall be retained by such municipality and allocated to its general fund.'

"Sec. 11. Further amend said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, by adding a new section as follows:

'Minors and females are prohibited from serving beer in the place of business of any permit holder in which the business of selling beer constitutes more than fifty (50) per cent of the gross business transacted therein.'

"Sec. 12. Further amend said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, by adding a new section as follows:

'The state permit board may review the action of any city or town council, including special charter cities, and boards of supervisors, in any case where a hearing has been had relative to the cancellation or revocation of a permit and it appears from the records of the hearing held by said city or town council or board of supervisors, that the permit has not been revoked or cancelled, and it appears from an investigation made by the state permit board that there is reasonable ground to believe that such permit holder has been guilty of violation of the provisions of this act, and upon such hearing the permit board shall make a finding, after hearing the facts with reference to the grounds for the revocation of such permit, and by a majority vote shall determine whether or not such permit shall be revoked and make an order accordingly, and said finding shall be final.

'If the state permit board finds from investigation that a review of the action of any city or town council, including special charter cities and boards of supervisors, should be had, or that such governing bodies have failed to take action, the state permit board shall thereupon fix a date for the hearing thereof and shall notify the permit holder of such hearing by registered mail of the date fixed for hearing and the date set for the hearing shall be not less than seven (7) days from the mailing of the notice. Such notice shall be mailed to the permittee at the post office address where his place of business is conducted under his permit. All such hearings shall be held at the seat of government of the state of Iowa, at Des Moines, Iowa.

'In the preparation and conduct of the hearing the board shall have power to require by subpoena the testimony of witnesses and the production of papers or documents and any member of the board may sign subpoenas, administer oaths and affirmations, examine witnesses, and receive evidence. The fees and mileage of such witnesses shall be the same as prescribed by law in the trial of civil cases and the permittee in all such hearings shall have the opportunity to be heard in person and by counsel. All parties to any hearing before the board shall have the right to the attendance of witnesses at such hearing upon making request therefor to the board and designating the person or persons sought to be subpoenaed. In case of disobedience to a subpoena the board may invoke the aid of any court of competent jurisdiction in requiring the attendance and testimony of witnesses and the production of papers or documents and such court may issue an order requiring the persons to appear before the board and give evidence or to produce papers as

the case may be, and any failure to obey such orders of the court may be punished by the court for contempt thereof. Testimony may be taken by deposition as in civil cases and any person may be compelled to appear and testify as in civil actions in the courts of this state. Any person who shall neglect and refuse to attend and testify or answer any lawful question or produce documentary evidence if it is in his power to do so, in obedience to a subpoena or lawful requirement by such board, shall be guilty of a misdemeanor and upon conviction thereof by a court of competent jurisdiction shall be punished in accordance with the provisions of section twelve thousand eight hundred ninety-four (12894), Code of Iowa, 1931.

'Like hearings may also be had in cases where a verified petition signed by at least ten (10) tax payers has first been presented to the city or town council, including special charter cities or the board of supervisors, as the case may be, or where the state permit board from its investigation asks that a hearing be had on the revocation of a permit, and in the event the city or town council, including special charter cities and boards of supervisors, neglects or refuses to have such hearing, the matter may be presented to the state permit board upon such verified petition in writing, signed by at least ten (10) tax payers of the jurisdiction for which the permit was granted, or the state permit board may upon its own motion conduct such hearing, and the same procedure as in this section provided shall apply with reference to notice of hearing, witnesses, testimony and contempt proceedings for failure to appear, and the board shall make a finding in such cases, which finding shall be binding on the permit holder and also on the city or town councils, including special charter cities or boards of supervisors, as the case may be.'

"Sec. 13. Further amend said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, by inserting after the word 'contain' in line 3 of section thirty-six (36) of said chapter twenty-five (25) the following: 'less than one-half ($\frac{1}{2}$) of one (1) per centum of alcohol by weight nor'; and by striking the period at the end of said section thirty-six (36) and inserting a comma in lieu thereof and by adding after the comma the following: 'and it shall be unlawful to sell or offer for sale in the state of Iowa any beer, the alcoholic content of which does not comply with the label requirements as prescribed in this section.' Further amend said act by inserting after the word 'not' in line 37 of section six (6) of said act the following: 'less than one-half ($\frac{1}{2}$) of one (1) per centum of alcohol by weight nor.'

"Sec. 14. Further amend said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, by adding a new section as follows: 'Subject to the express provisions of section twenty-three (23) of chapter twenty-five (25), acts of the Forty-fifth General assembly in Extraordinary Session, as amended, no beer shall be sold or consumed in the places of business of class "B" permittees located outside of a city or town between the hours of 1:00 a. m. and 6:00 a. m., except clubs as contemplated in section nineteen

(19) of said chapter twenty-five (25). Boards of supervisors are authorized and empowered, subject to the above, to fix opening and closing hours and are further authorized and empowered to adopt rules and regulations governing the conduct of the places of business of class "B" permit holders.'

"Sec. 15. Further amend said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, by adding a new section as follows: 'No person, firm or corporation shall bottle beer within the state of Iowa, except class "A" permittees who have complete equipment for bottling beer and who have received the approval of the local board of health as to sanitation, and it shall be the duty of local boards of health to inspect the premises and equipment of class "A" permittees who desire to bottle beer.'

"Sec. 16. This act being deemed of immediate importance shall be in full force and effect after its passage and publication in the Dyersville Commercial, a newspaper published at Dyersville, Iowa, and in the Daily Tribune, a newspaper published at Dubuque, Iowa."

Further amend Senate File 320 by striking all of the title and substituting in lieu thereof the following:

"An act to amend chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, relating to the manufacture, sale and distribution of beer; creating a state permit board and defining its powers and duties; providing for the issuance and revocation of permits; authorizing boards of supervisors to adopt rules and regulations and cities and towns to pass ordinances governing the sale and distribution of beer; providing for hearings by the state permit board; and fixing the hours during which beer may be sold, delivered, or consumed."

T. F. DRISCOLL.
H. C. BALDWIN.
FRANK C. BYERS.
E. P. DONOHUE.

On the part of the Senate.

J. P. GALLAGHER.
C. L. RICE.
E. E. WIEBEN.
BEN B. DORAN.

On the part of the House.

ACTION ON SENATE FILE 320 CONFERENCE COMMITTEE REPORT DEFERRED

On motion of Senator Patterson action on Senate File 320 was deferred until copies of the conference committee report might be placed on the desks of the Senators.

THIRD READING OF BILLS

Senate File 373, a bill for an act to make an appropriation to the department of the Grand Army of the Republic to defray expenses of publishing final history of the Grand Army of the Republic, was taken up and considered.

By unanimous consent granted Senator Wilson, the word "his" in section two (2), line 2, was changed to the word "a."

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 39:

Baldwin	Dewey	Husted	Nelson
Beardsley	Donohue	Irwin	Parker
Bell of Crawford	Driscoll	Knudson	Patterson
Bell of	Elthon	Malone	Pendray
Des Moines	Fisch	McArthur	Shaw
Berg	Goetsch	Meyer	Stanley
Billingsley	Grunewald	Miller	Stevens of
Byers	Harrington	Millhone	Decatur
Calhoun	Hopkins	Moore	Valentine
Chrystal	Hush	Mullaney	Wilson
Corwin			

Nays, 2:

Anderson	Shangle
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Absent or not voting, 9:

Aschenbrenner	Kimberly	Roelofs	Stevens of
Doze	Mason	Schmidt	Wapello
Geske	Reese		

The bill, as amended, having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 386, a bill for an act to make an appropriation to T. E. Diamond, Henry C. Schull, James F. Toy, Leone Webster, and Frank C. Walrath, was taken up and considered.

The bill was read for information.

Senator Elthon offered the following amendment and moved its adoption:

Amend Senate File 386, section one (1), line 8, by striking the figures "50" and inserting in lieu thereof the figures "25."

Further amend said line by striking the figures "450" and inserting in lieu thereof the figures "225."

The motion prevailed and the amendment was adopted.

Senator Shangle offered the following amendment and moved its adoption:

Amend Senate File 386, section one (1), by striking lines 9, 10, 11 and 12 thereof.

Roll call was requested.

The question was, Shall the amendment be adopted?

On the question, Shall the amendment be adopted? the vote was:

Ayes, 12:

Calhoun	Malone	Miller	Shangle
Dewey	Mason	Mullaney	Stevens of
Doze	Meyer	Patterson	Decatur
Husted			

Nays, 26:

Anderson	Billingsley	Grunewald	Parker
Baldwin	Byers	Harrington	Pendray
Beardsley	Chrystal	Hopkins	Reese
Bell of Crawford	Corwin	Hush	Roelofs
Bell of	Driscoll	McArthur	Stanley
Des Moines	Fisch	Millhone	Valentine
Berg	Goetsch	Moore	Wilson

Absent or not voting, 11:

Aschenbrenner	Geske	Knudson	Shaw
Donohue	Irwin	Nelson	Stevens of
Elthon	Kimberly	Schmidt	Wapello

The motion to amend was lost.

Senator Irwin moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 39:

Anderson	Calhoun	Hopkins	Mullaney
Aschenbrenner	Chrystal	Hush	Parker
Baldwin	Corwin	Husted	Patterson
Beardsley	Dewey	Irwin	Pendray
Bell of Crawford	Driscoll	Malone	Reese
Bell of	Elthon	McArthur	Roelofs
Des Moines	Fisch	Meyer	Shaw
Berg	Goetsch	Miller	Stanley
Billingsley	Grunewald	Millhone	Valentine
Byers	Harrington	Moore	Wilson

Nays, 2:

Mason	Shangle
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Absent or not voting, 9:

Donohue	Kimberly	Schmidt	Stevens of
Doze	Knudson	Stevens of	Wapello
Geske	Nelson	Decatur	

The bill, as amended, having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 389, a bill for an act to make an appropriation to the Iowa national guard to cover the cost of the erection of a garage and machine shop and to replace equipment lost when fire destroyed the garage and machine shop during the month of November, 1934 and which was not replaced from funds from the providential and contingent fund, was taken up and considered.

Senator Billingsley offered the following amendment and moved its adoption:

Amend Senate File 389, section two (2), by inserting the following newspapers therein: "Milo Motor", a newspaper published in "Milo", Iowa, and in the "Colfax Tribune", a newspaper published in "Colfax", Iowa.

The motion prevailed and the amendment was adopted.

The bill was read for information.

Senator Stanley moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 38:

Anderson	Corwin	Irwin	Patterson
Aschenbrenner	Dewey	Knudson	Pendray
Baldwin	Doze	Malone	Reese
Beardsley	Fisch	Mason	Shangle
Bell of	Goetsch	McArthur	Shaw
Des Moines	Grunewald	Meyer	Stanley
Berg	Harrington	Miller	Stevens of
Billingsley	Hopkins	Millhone	Decatur
Calhoun	Hush	Moore	Valentine
Chrystal	Husted	Mullaney	Wilson

Nays, none.

Absent or not voting, 12:

Bell of Crawford	Elthon	Nelson	Schmidt
Byers	Geske	Parker	Stevens of
Donohue	Kimberly	Roelofs	Wapello
Driscoll			

The bill, as amended, having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

SENATE FILE 390 WITHDRAWN

By unanimous consent granted Senator Reese, it was ordered that Senate File 390 be withdrawn from further consideration by the Senate.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has failed to pass the following joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution 11, relating to the use of motor vehicle license fees, registration fees and other charges, also licenses and excise taxes on motor vehicle fuels.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 128, a bill for an act relating to indebtedness of counties for poor relief purposes.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 393, a bill for an act legalizing an action of the county auditor and board of supervisors of Audubon county, Iowa.

VIRGIL LEKIN, *Chief Clerk.*

THIRD READING OF BILLS

House File 496, a bill for an act to make an appropriation for the board of cosmetology examiners, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 42:

Anderson	Bell of	Byers	Dewey
Aschenbrenner	Des Moines	Calhoun	Doze
Baldwin	Berg	Chrystal	Driscoll
Beardsley	Billingsley	Corwin	Elthon

Goetsch	Malone	Nelson	Stanley
Grunewald	Mason	Parker	Stevens of
Harrington	McArthur	Patterson	Decatur
Hopkins	Meyer	Pendray	Stevens of
Hush	Miller	Reese	Wapello
Husted	Millhone	Roelofs	Valentine
Irwin	Mullaney	Shaw	Wilson
Knudson			

Nays, 1:

Shangle

Absent or not voting, 7:

Bell of Crawford	Fisch	Kimberly	Schmidt
Donohue	Geske	Moore	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 365, a bill for an act to provide for the taxation of mortgages on real property at the time of the recordation thereof, was taken up and considered.

The bill was read for information.

Senator Byers offered the following amendment and moved its adoption:

Amend Senate File 365 by inserting after the comma in line 4 of section two (2) the following: "or mortgages in favor of a building and loan or savings and loan association organized under chapter four hundred seventeen (417), Code of Iowa, 1931."

The motion prevailed and the amendment was adopted.

Senator Hush offered the following amendment and moved its adoption:

Amend Senate File 365, section ten (10), by adding thereto the following words: "insofar as they conflict with the provisions of this act."

The motion prevailed and the amendment was adopted.

Senator Malone moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 38:

Anderson	Donohue	Irwin	Patterson
Aschenbrenner	Doze	Knudson	Pendray
Bell of Crawford	Elthon	Malone	Reese
Berg	Fisch	Mason	Roelofs
Billingsley	Goetsch	McArthur	Shangle
Byers	Grunewald	Meyer	Shaw
Calhoun	Harrington	Miller	Stanley
Chrystal	Hopkins	Mullaney	Stevens of
Corwin	Hush	Nelson	Decatur
Dewey	Husted	Parker	

Nays, 1:

Valentine

Absent or not voting, 11:

Baldwin	Driscoll	Millhone	Stevens of
Beardsley	Geske	Moore	Wapello
Bell of	Kimberly	Schmidt	Wilson
Des Moines			

The bill, as amended, having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stanley was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senators Shaw and Stanley asked unanimous consent to introduce a new bill.

Senator Valentine raised the point of order that the introduction of a new bill was contrary to Senate Rules 17 and 22. The chair ruled the point was well taken.

Senator Stanley moved that Rules 17 and 22 be suspended to permit the introduction of a new bill by Senators Shaw and Stanley.

Roll call was requested.

The question was, Shall the rules be suspended?

On the question, Shall the rules be suspended? the vote was:

Ayes, 20:

Beardsley	Corwin	Hopkins	Parker
Berg	Dewey	Hush	Patterson
Billingsley	Donohue	Husted	Shaw
Byers	Doze	Millhone	Stanley
Calhoun	Elthon	Nelson	Wilson

Nays, 25:

Anderson	Driscoll	Malone	Reese
Aschenbrenner	Fisch	McArthur	Shangle
Baldwin	Goetsch	Meyer	Stevens of
Bell of	Grunewald	Miller	Decatur
Crawford	Harrington	Moore	Stevens of
Bell of	Irwin	Mullaney	Wapello
Des Moines	Knudson	Pendray	Valentine
Chrystal			

Absent or not voting, 5:

Geske	Mason	Roelofs	Schmidt
Kimberly			

The motion was lost.

BILLS PLACED ON THE CALENDAR

By unanimous consent granted Senator Nelson, House File 504 was ordered withdrawn from the sifting committee and placed on the calendar.

By unanimous consent granted Senator Harrington, Senate File 402 was ordered withdrawn from the sifting committee and placed on the calendar.

THIRD READING OF BILLS

House File 406, a bill for an act to legalize the payment by the county treasurer of Wright county, Iowa, from the general funds of Wright county, Iowa, the sum of one thousand three hundred seventy-eight (1,378) dollars and fifteen (15) cents for bonds and coupons issued by and against drainage district number 176 of Wright county, Iowa, was taken up and considered.

The bill was read for information.

Senator Knudson moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 42:

Anderson	Donohue	Knudson	Reese
Baldwin	Doze	Malone	Shangle
Beardsley	Driscoll	McArthur	Shaw
Bell of	Elthon	Meyer	Stanley
Crawford	Fisch	Miller	Stevens of
Bell of	Goetsch	Millhone	Decatur
Des Moines	Grunewald	Moore	Stevens of
Berg	Harrington	Mullaney	Wapello
Billingsley	Hopkins	Nelson	Valentine
Chrystal	Hush	Parker	Wilson
Corwin	Husted	Patterson	
Dewey	Irwin	Pendray	

Nays, none.

Absent or not voting, 8:

Aschenbrenner	Calhoun	Kimberly	Roelofs
Byers	Geske	Mason	Schmidt

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 504, a bill for an act to legalize the renewal of the corporate period of the Ames Tribune Publishing Company of Ames, Iowa, was taken up and considered.

The bill was read for information.

Senator Nelson moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 40:

Anderson	Dewey	Husted	Parker
Baldwin	Donohue	Irwin	Patterson
Beardsley	Doze	Knudson	Pendray
Bell of	Driscoll	Mason	Shangle
Des Moines	Elthon	McArthur	Shaw
Berg	Fisch	Meyer	Stanley
Billingsley	Goetsch	Millhone	Stevens of
Byers	Grunewald	Moore	Decatur
Calhoun	Harrington	Mullaney	Valentine
Chrystal	Hopkins	Nelson	Wilson
Corwin	Hush		

Nays, none.

Absent or not voting, 10:

Aschenbrenner	Geske	Miller	Schmidt
Bell of	Kimberly	Reese	Stevens of
Crawford	Malone	Roelofs	Wapello

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Patterson moved that the recommendations of Floyd E. Page, attorney for the liquor investigating committee, be printed in full in the Senate Journal.

Senator Harrington moved the previous question, which motion was lost.

The following concurrent resolution was filed:

SENATE CONCURRENT RESOLUTION 24

Whereas, It has been called to our attention that several corporations have been organized for the purpose of importing black strap molasses from Cuba to the vicinity of Peoria, Illinois, by steel barge lines for the manufacture of alcohol and also by-products.

If this practice is allowed to proceed, it would seriously impair the market for our corn and grain products in Iowa and the middle west and would also cause injury to our transportation systems within the state of Iowa; therefore,

Be It Resolved by the Senate, the House concurring: That the Forty-sixth General Assembly of the state of Iowa go on record protesting this practice of importing black strap molasses into the middle west and that promotion on the part of the United States of this gigantic trust be discontinued.

Be It Further Resolved: That we favor that there be a prohibitive tax on Cuban molasses and that this matter be called to the attention of the President of the United States, asking that federal aid be refused for the promotion of the business of corporations engaged in this business.

Be It Further Resolved: That the Secretary of the Senate forward certified copies of this resolution to the President of the United States, the Senators and Representatives from Iowa in the Federal Congress.

JAMES M. BELL.

REPORT OF FEDERAL EMERGENCY RELIEF ADMINISTRATION FILED

TO THE HONORABLES, THE MEMBERS OF THE FORTY-SIXTH GENERAL ASSEMBLY OF THE STATE OF IOWA: As administrator of the State Emergency Relief Administration for the state of Iowa, I beg to submit the following: The Governor of Iowa made the first application for federal aid in January, 1933. Since that time, and up to and including the month of April, 1935, the state of Iowa has received from the federal government, for all forms of relief, with the exception of CWA and surplus commodities, twenty-one million nine hundred fifteen thousand two hun-

dred twenty-one (21,915,221) dollars. In addition to that, there was expended through the civil works program, which was just another type of relief, fourteen million two hundred ninety-five thousand three hundred sixty-six (14,295,366) dollars and sixty-eight (68) cents, or a grand total of thirty-six million two hundred ten thousand five hundred eighty-seven (36,210,587) dollars and sixty-eight (68) cents. In addition to this money, the Iowa Emergency Relief Administration has distributed to the destitute families of Iowa many millions of pounds of food commodities, plus material for bedding and clothing. These have been furnished by the federal government, without any value named.

The state administrator appeared before you at the Extraordinary Session of the Forty-fifth General Assembly, and transmitted the request of the Federal Relief Administration that state funds be provided. At that time there was appropriated three million (3,000,000) dollars, and at the end of April, 1935, this amount will have been expended for direct and work relief, in all the counties of the state of Iowa. The only administration costs paid from state funds were for office rental and the expense of the audits made by the auditor of state, amounting to six thousand eight hundred forty (6,840) dollars, to April 1, 1935. Since the time that this three million (3,000,000) dollars was appropriated, there has been received from federal funds seventeen million six hundred seventy-nine thousand three hundred one (17,679,301) dollars. This figure does not include any part of the amount expended for the civil works program.

The state funds are secured by reporting to the Governor the amount needed in order to secure a grant of federal funds for the period concerned. The Governor submits a requisition to the state comptroller for the amount required, and the money is made available to the State Relief Administration. The first state money used was in August, 1934, and has been granted to the State Emergency Relief Administration as follows:

1934	
August	\$ 300,000.00
September	300,000.00
October	405,000.00
November	412,300.00
December	409,824.00
1935	
January	300,000.00
February	300,000.00
March	300,000.00
April	272,876.00
Total	<u>\$3,000,000.00</u>

The Federal Relief Administration requires that a certain amount of state money be expended each month, as a condition of the grant of federal funds. During the months of October, November, and December, additional amounts were required to care for regular county poor cases in Wayne and Pottawattamie counties, for which federal funds

could not be expended, which accounts for the odd amounts secured during those months. Relief funds, both federal and state, are distributed on the basis of need existing in the county.

Believing that your body is particularly interested in the distribution of state funds by counties, we herewith submit a report showing the actual amount of state and federal funds expended in each county from January 1, 1933, to April 1, 1935; figures for the month of April are, of course, not yet available.

The number of families in Iowa that have been cared for through the Emergency Relief Administration has been as follows, for the months shown:

1933		1934		1935	
January	38,771	January	22,385	January	67,037
February	43,709	February	24,712	February	66,532
March	54,987	March	34,414	March	66,403
April	59,709	April	46,469		
May	56,469	May	47,688		
June	44,774	June	53,893		
July	40,508	July	56,423		
August	38,998	August	55,674		
September	38,758	September	52,942		
October	35,262	October	53,796		
November	38,849	November	56,765		
December	26,356	December	62,664		

This is exclusive of the regular statutory county cases, such as the aged, the infirm, the blind, and widows.

All of the affairs of the administration are audited by the auditor of the state of Iowa, and the report submitted herewith will be substantiated by his audit. In addition to this, the administration is audited by representatives of the Federal Emergency Relief Administration, at irregular intervals.

A report has been prepared, covering the activities of the Iowa Emergency Relief Administration for the period from January, 1933, to December 31, 1934, copies of which are available.

Respectfully submitted,

E. H. MULOCK, *Administrator,*
Iowa Emergency Relief Administration.

STATE AND FEDERAL FUNDS ALLOCATED TO COUNTIES JANUARY 1, 1934, TO MARCH 31, 1935

County	State Funds	Federal Funds
Adair	\$ 11,990.82	\$ 39,530.14
Adams	4,463.25	18,093.16
Allamakee	10,668.31	33,322.49
Appanoose	49,640.89	219,494.42
Audubon	15,002.07	44,365.94
Benton	13,018.46	40,567.45

County	State Funds	Federal Funds
Black Hawk	45,541.72	122,331.61
Boone	14,055.78	48,671.26
Bremer	4,132.43	9,968.49
Buchanan	15,884.48	48,181.28
Buena Vista	4,997.28	5,574.73
Butler	10,733.28	21,470.73
Calhoun	11,257.44	14,974.64
Carroll	16,121.70	41,206.77
Cass	17,210.39	57,599.80
Cedar	9,671.01	29,593.38
Cerro Gordo	35,364.83	68,860.03
Cherokee	3,325.69	504.00
Chickasaw	10,553.08	28,656.25
Clarke	25,079.47	108,197.49
Clay	14,624.01	55,994.15
Clayton	5,052.32	14,528.78
Clinton	58,511.23	167,335.53
Crawford	21,595.26	66,182.06
Dallas	23,569.09	78,595.74
Davis	20,428.98	81,268.07
Decatur	14,781.88	73,900.84
Delaware	18,661.37	43,738.35
Des Moines	56,140.03	122,636.12
Dickinson	2,656.34	6,653.02
Dubuque	110,669.81	414,220.78
Emmet	5,902.40	20,354.70
Fayette	24,715.75	88,948.20
Floyd	22,155.68	60,374.35
Franklin	15,822.20	59,859.88
Fremont	20,751.31	65,779.14
Greene	11,193.82	19,848.18
Grundy	5,536.09	12,514.98
Guthrie	22,848.97	75,025.72
Hamilton	15,922.79	45,446.10
Hancock	3,778.00	1,579.01
Hardin	19,132.34	64,566.76
Harrison	27,679.09	74,872.65
Henry	10,512.80	39,612.37
Howard	8,032.67	22,505.42
Humboldt	3,830.55	4,697.08
Ida	2,168.89	3,491.78
Iowa	8,172.72	19,486.90
Jackson	5,240.95	28,881.62
Jasper	16,552.19	7,201.75
Jefferson	8,513.40	28,084.74
Johnson	26,650.95	73,031.51
Jones	12,501.70	34,312.23
Keokuk	15,267.59	46,157.23
Kossuth	5,204.38	3,060.20

County	State Funds	Federal Funds
Lee (north)
Lee (south)	27,557.12	86,980.89
Linn	114,684.83	357,843.87
Louisa	7,084.86	12,606.13
Lucas	26,982.00	132,185.21
Lyon	6,073.62	1,011.95
Madison	25,220.06	95,352.93
Mahaska	42,050.43	195,530.57
Marion	29,508.76	133,319.12
Marshall	27,853.84	82,727.52
Mills	6,582.76	14,446.69
Mitchell	8,770.37	21,681.82
Monona	16,737.31	45,504.46
Monroe	29,398.82	188,860.26
Montgomery	10,798.77	37,539.52
Muscatine	41,501.21	147,728.25
O'Brien	3,206.67	601.80
Osceola	1,946.87	782.17
Page	14,567.80	45,205.31
Palo Alto	3,878.01	1,110.53
Plymouth	11,874.33	25,174.81
Pocahontas	6,804.85	14,697.15
Polk	440,995.51	1,015,749.31
Pottawattamie	126,457.72	485,668.11
Poweshiek	20,751.91	57,275.17
Ringgold	4,982.46	15,284.52
Sac	3,264.47	2,799.11
Scott	172,170.67	526,006.30
Shelby	5,046.88	2,578.11
Sioux	12,989.28	5,809.72
Story	15,913.23	42,669.39
Tama	9,555.30	32,113.13
Taylor	9,176.30	31,651.87
Union	28,815.94	105,997.72
Van Buren	15,026.01	69,359.15
Wapello	78,316.34	218,913.77
Warren	8,608.95	27,266.76
Washington	8,320.32	25,893.36
Wayne	19,753.26	110,375.70
Webster	69,358.44	204,840.71
Winnebago	7,111.48	28,788.74
Winneshiek	21,879.18	73,938.81
Woodbury	134,494.86	262,532.68
Worth	4,314.26	11,256.53
Wright	19,284.34	77,627.79
Rents and Audits—State		
Office	6,839.67	
Regular county cases.....	24,388.73	
Available for April.....	275,611.27	

SUPPLEMENTARY COMMITTEE REPORT FILED

SUPPLEMENTARY REPORT OF JOINT INVESTIGATION COMMITTEE OF THE
HOUSE AND SENATE

April 23, ***** 1935.

Whereas, Under the provisions of House Concurrent Resolution 6, your committee appointed by the House and the Senate to take testimony, investigate, and make a report on the issuance and sale of warrants and gasoline tax refund matters, met on the 28th day of February, 1935, and continued in session taking testimony until the 14th day of March, 1935, and such testimony reduced by a certified shorthand reporter, in writing, and the committee recessed for further hearings until further testimony was available, and that thereafter and on the 19th day of April, 1935, the committee released its report which has been heretofore filed in the House and the Senate, and which appears in the Journal of the respective bodies—said report having been based upon the evidence obtained by the committee up to that time, and

Whereas, Further examination of the testimony heretofore given discloses certain discrepancies in said testimony, and that this committee is of the opinion that further evidence may be necessary in order to coordinate the statements made in the record, and

Whereas, Additional information has come to the joint investigating committee of the House and Senate, appointed for the purpose of investigating the issuance and sale of anticipatory warrants and for refunds under the gasoline tax division of the treasurer of state, said information having come to some members of this committee since the filing of its report, and

Whereas, It is the unanimous opinion of each and every member of this committee that such information should be thoroughly investigated as to its authenticity, and

Whereas, The date of adjournment has been set and there is not sufficient time for this committee to fully and completely investigate the recent information which has come to the attention of some of the members of this committee.

Therefore, We recommend that in addition to the recommendations made heretofore by this committee, the entire subject matter as set forth in House Concurrent Resolution 6 be included in the matter to be investigated by the proposed interim committee, and that a sufficient appropriation be made to pay the expense of such proposed committee.

HAROLD P. IRWIN.

T. F. DRISCOLL.

JOHN W. BILLINGSLEY.

On the part of the Senate.

C. D. MOORE.

THOMAS STIMPSON.

PAUL CUNNINGHAM.

On the part of the House.

CONFERENCE COMMITTEE REPORT ON SUBSTITUTE FOR
HOUSE FILE 214

MR. PRESIDENT AND SPEAKER: Your joint committee of conference appointed to confer in regard to substitute for House File 214 begs leave to report that this committee has conferred and that it has agreed and recommends the following:

Strike all after the enacting clause and insert the following:

"Section 1. That the amount derived from delinquent state taxes, other than from the bonus levy, during the fiscal years beginning July 1, 1935, and July 1, 1936, and ending June 30, 1936, and June 30, 1937, respectively, and all revenue from other sources, which is available for appropriations for state purposes, and all other money in the state treasury which is not by law segregated, shall be established as a general fund, and so much thereof as may be necessary, shall be, and the same is hereby appropriated for the biennium beginning July 1, 1935, and ending June 30, 1937, in the following manner and for the following uses, to-wit:

DEPARTMENT OF AGRICULTURE

"Sec. 2. For the department of agriculture there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of three hundred fourteen thousand one hundred forty-nine (314,149) dollars or so much thereof as may be necessary, to be used in the following manner:

Agriculture Department

(See page 1 of Budget Report)

For salary of secretary of agriculture.....	\$ 5,000.00
For salaries, support, maintenance and miscellaneous purposes	116,215.00

Total agricultural department.....	\$121,215.00

(1) Animal Health and Veterinary

(See page 2 of Budget Report)

For the control and eradication of contagious and infectious livestock diseases, T. B. inspectors, fifteen hundred (1,500) dollars to two thousand four hundred (2,400) dollars annually, and necessary traveling expenses; assistant state veterinarians (per diem and expenses), indemnities and miscellaneous.....	\$137,500.00
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(2) Iowa Beef Producers' Association

(See page 3 of Budget Report)

State aid	\$ 5,000.00
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(3) Corn and Small Grain Growers Association

(See page 3 of Budget Report)

State aid	\$ 2,500.00
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(4) Dairy Association
(See page 3 of Budget Report)

State aid\$ 5,000.00
(To be expended in accordance with the provisions of
chapter one hundred thirty-seven (137), Code of 1931)

(5) Horticultural Society
(See page 5 of Budget Report)

State aid\$ 5,000.00

(6) Poultry Association, Short Courses, County
Achievement Shows
(See page 4 of Budget Report)

State aid\$ 17,500.00

(7) Board of Veterinary Examiners
(See page 2 of Budget Report)

Per diem and expenses of board members.....\$ 400.00

(8) Iowa Horse Breeders' Association
(See page 5 of Budget Report)

State aid\$ 5,000.00

(9) Weather and Crops Bureau
(See page 6 of Budget Report)

For salaries, support, maintenance and miscellaneous
purposes\$ 7,634.00

(10) State Entomologist
(See page 4 of Budget Report)

For salaries, support, maintenance and miscellaneous
purposes\$ 7,400.00

Grand total of all appropriations for all purposes for each
year of the biennium for the department of agriculture..\$314,149.00

BOARD OF ASSESSMENT AND REVIEW

(See page 8 of Budget Report)

"Sec. 3. For the board of assessment and review there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of sixty-four thousand five hundred forty-three (64,543) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries: (a)

Chairman\$ 4,000.00
Vice chairman 4,000.00
Member 4,000.00

For salaries, support, maintenance and miscellaneous purposes: (b)	52,543.00
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Grand total of all appropriations for all purposes for each year of the biennium for the board of assessment and review	\$ 64,543.00
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AUDITOR OF STATE

(See page 9 of Budget Report)

"Sec. 4. For the office of auditor of state there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of ninety thousand (90,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of auditor of state.....	\$ 5,000.00
For salaries and miscellaneous purposes.....	85,000.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of auditor of state	\$ 90,000.00
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COMMISSION FOR THE BLIND

(See page 11 of Budget Report)

"Sec. 5. For the commission for the blind there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of ten thousand (10,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of secretary.....	\$ 2,370.00
For salaries, support, maintenance and miscellaneous purposes	7,630.00

Grand total of all appropriations for all purposes for each year of the biennium for the commission for the blind....	\$ 10,000.00
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STATE COMPTROLLER

(See page 12 of Budget Report)

"Sec. 6. For the department of the state comptroller there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of forty thousand three hundred sixty-four (40,364) dollars and eighty (80) cents or so much thereof as may be necessary, to be used in the following manner:

For salary of state comptroller.....	\$ 4,500.00
For salaries and miscellaneous purposes.....	35,864.80

Grand total of all appropriations for all purposes for each year of the biennium for the department of state comptroller	\$ 40,364.80
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BOARD OF CONSERVATION

(See page 14 of Budget Report)

"Sec. 7. For the board of conservation there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of one hundred ten thousand (110,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For miscellaneous purposes:

For maintenance of state parks, purchase of land and general improvements, and for the construction, maintenance and improvement of roads and highways in said parks and for other general conservation purposes.....\$110,000.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of conservation.....\$110,000.00

BOARD OF CONTROL

(See page 14 of the Budget Report)

"Sec. 8. For the board of control there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of seventy-two thousand four hundred sixty-six (72,466) dollars or so much thereof as may be necessary, to be used in the following manner:

General Office and Child Welfare Division

For salaries of members of the board:

(2 at \$3,850.00 each).....\$ 7,700.00

(1 at \$3,600.00) member newly elected and confirmed by Forty-sixth General Assembly..... 3,600.00

For salaries, support, maintenance and miscellaneous purposes 61,166.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of control.....\$ 72,466.00

CUSTODIAN

(See page 15 of Budget Report)

"Sec. 9. For the department of the custodian there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of seventy-five thousand eight hundred ten (75,810) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of custodian.....\$ 2,000.00

For salaries, support and maintenance and miscellaneous purposes 73,810.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the custodian\$ 75,810.00

JUDGES OF THE DISTRICT COURT

(See page 16 of Budget Report)

"Sec. 10. For the department of the district court judges there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of three hundred seventy-two thousand five hundred (372,500) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries of judges of the district court of Iowa (70 judges)	\$350,000.00
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For miscellaneous purposes:

Traveling expenses of judges and court reporters in and out of districts	22,500.00
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Grand total of all appropriations for all purposes for each year of the biennium for the department of district court judges	\$372,500.00
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BOARD OF EDUCATION

(See page 16 of Budget Report)

"Sec. 11. For the department of the board of education there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of fifty-four thousand seven hundred twelve (54,712) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries:

Chairman, finance committee.....	\$ 3,000.00
Member, finance committee.....	3,000.00
Secretary, finance committee.....	3,100.00

For salaries, support, maintenance and miscellaneous purposes	45,612.00
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Board members to receive a per diem of ten (10) dollars per day and shall not exceed six hundred (600) dollars per year per member.

Grand total of all appropriations for all purposes for each year of the biennium for the board of education.....	\$ 54,712.00
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EXECUTIVE COUNCIL

(See page 17 of Budget Report)

"Sec. 12. For the department of the executive council there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of two hundred fifty thousand two hundred thirty-five (250,235) dollars or so much thereof as may be necessary, to be used in the following manner:

General Office

For salaries, support, maintenance and miscellaneous purposes	\$250,235.00
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STATE FAIR BOARD

(See page 19 of Budget Report)

"Sec. 13. For the department of the state fair board there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of sixty thousand (60,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For maintenance and operating expense of fair.....	\$ 50,000.00
For premiums	10,000.00

Grand total of all appropriations for all purposes for each year of the biennium for the state fair board.....	\$ 60,000.00
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AGRICULTURAL SOCIETIES

(See page 20 of Budget Report)

"Sec. 14. For the agricultural societies there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of one hundred twenty thousand (120,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For miscellaneous purposes:

State aid to county fairs.....	\$120,000.00
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The foregoing appropriation for state aid to county fairs shall be deemed conditioned on full compliance with all other statutes which regulate and prescribe the conditions under which such aid is payable.

FIRE MARSHAL

(See page 20 of Budget Report)

"Sec. 15. For the department of the state fire marshal there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of seventeen thousand (17,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of state fire marshal.....	\$ 2,628.00
For support, maintenance, salaries and miscellaneous purposes	14,372.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the state fire marshal	\$ 17,000.00
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GEOLOGICAL SURVEY

(See page 21 of Budget Report)

"Sec. 16. For the department of the geological survey there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of ten thousand (10,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes	\$ 10,000.00
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Grand total of all appropriations for all purposes for each year of the biennium for the department of the geological survey	\$ 10,000.00
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GOVERNOR

(See page 21 of Budget Report)

"Sec. 17. For the department of the Governor there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of twenty thousand four hundred six (20,406) dollars or so much thereof as may be necessary, to be used in the following manner:

For the salary of Governor of the state of Iowa.....	\$	7,500.00
For salaries, support and miscellaneous purposes.....		12,906.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of Governor \$ 20,406.00

GRAND ARMY OF THE REPUBLIC

(Set page 22 of Budget Report)

"Sec. 18. For the department of the grand army of the republic there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of seven hundred fifty (750) dollars or so much thereof as may be necessary, to be used in the following manner:

Headquarters expenses	\$	750.00
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Grand total of all appropriations for all purposes for each year of the biennium for the department of the grand army of the republic.....\$ 750.00

DEPARTMENT OF HEALTH

(See page 22 of Budget Report)

"Sec. 19. For the department of health there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of seventy-six thousand eight hundred eighty (76,880) dollars or so much thereof as may be necessary, to be used in the following manner:

General Office

For salary of commissioner of the department of health....	\$	4,500.00
For salaries, support, maintenance and miscellaneous purposes		40,660.00
Total general office.....	\$	45,160.00

Maternity and Child Hygiene

For salaries, support, maintenance and miscellaneous purposes	\$	8,500.00
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Inspector—Department of Health

For salaries, support, maintenance and miscellaneous purposes	\$	3,940.00
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Sanitary Engineering and Housing Division

For salaries, support, maintenance and miscellaneous
purposes\$ 19,280.00

Grand total of all appropriations for all purposes for each
year of the biennium for the department of health.....\$ 76,880.00

(1) Board of Barbers Examiners

For the board of barbers examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of fifteen thousand five hundred twenty (15,520) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries, support maintenance and miscellaneous
purposes\$ 15,520.00

Grand total of all appropriations for all purposes for each
year of the biennium for the board of barbers examiners..\$ 15,520.00

(2) Board of Chiropractic Examiners

For the board of chiropractic examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of sixteen hundred eighty (1,680) dollars or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous
purposes\$ 1,680.00

Grand total of all appropriations for all purposes for each
year of the biennium for the board of chiropractic
examiners\$ 1,680.00

(3) Board of Cosmetology Examiners

For the board of cosmetology examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of twelve thousand forty (12,040) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and miscellaneous
purposes\$ 12,040.00

Grand total of all appropriations for all purposes for each
year of the biennium for the board of cosmetology exam-
iners\$ 12,040.00

(4) Board of Dental Examiners

For the board of dental examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of two thousand four hundred (2,400) dollars or so much thereof as may be necessary, to be used in the following manner:

For per diem: (a)	
Board members	\$ 1,800.00
Other expenses: (b)	
Traveling	600.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of dental examiners..\$ 2,400.00

(5) Board of Embalmers Examiners

For the board of embalmers examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of nine hundred seventy (970) dollars or so much thereof as may be necessary, to be used in the following manner:

For per diem: (a)	
Board members	\$ 470.00
Other expenses: (b)	
Traveling	500.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of embalmers examiners

	\$ 970.00
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(6) Board of Medical Examiners

For the board of medical examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of one thousand (1,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For per diem: (a)	
Board members	\$ 650.00
Other expenses: (b)	
Traveling	350.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of medical examiners

	\$ 1,000.00
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(7) Board of Nurses Examiners

For the board of nurses examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of five thousand four hundred (5,400) dollars or so much thereof as may be necessary, to be used in the following manner:

For per diem: (a)	
Board members	\$ 1,500.00
Other expenses: (b)	
For salaries, support, and miscellaneous purposes.....	3,900.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of nurses examiners..\$ 5,400.00

(8) Board of Optometry Examiners

For the board of optometry examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of seven hundred fifty (750) dollars or so much thereof as may be necessary, to be used in the following manner:

For per diem: (a)	
Board members	\$ 500.00
Other expenses: (b)	
Traveling	250.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of optometry examiners	750.00
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(9) Board of Osteopathic Examiners

For the board of osteopathic examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of one thousand five hundred sixty (1,560) dollars or so much thereof as may be necessary, to be used in the following manner:

For per diem: (a)	
Board members	\$ 280.00
Other expenses: (b)	
Traveling	200.00
Secretary	1,080.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of osteopathic examiners	\$ 1,560.00
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(10) Board of Podiatry Examiners

For the board of podiatry examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of three hundred ninety-five (395) dollars or so much thereof as may be necessary, to be used in the following manner:

For per diem: (a)	
Board members	\$ 320.00
Other expenses: (b)	
Traveling	75.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of podiatry examiners	\$ 395.00
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(11) Board of Pharmacy Examiners

(See page 39 of Budget Report)

For the board of pharmacy examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June

30, 1937, the sum of fourteen thousand four hundred (14,400) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and miscellaneous pur-

HISTORICAL DEPARTMENT

(See page 28 of Budget Report)

poses\$ 14,400.00

"Sec. 20. For the historical department there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of twenty-nine thousand three hundred (29,300) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of curator, historical department.....\$ 2,400.00

For miscellaneous, salaries, support and maintenance of the following divisions: general, archives, library, museum, annals of Iowa, Iowa in war and newspaper.....\$ 26,900.00

Grand total of all appropriations for all purposes for each year of the biennium for the historical department.....\$ 29,300.00

HISTORICAL SOCIETY

(See page 29 of Budget Report)

"Sec. 21. For the historical society there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of twenty-eight thousand (28,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes\$ 28,000.00

Grand total of all appropriations for all purposes for each year of the biennium for the historical society.....\$ 28,000.00

INDUSTRIAL COMMISSION

(See page 30 of Budget Report)

"Sec. 22. For the department of the industrial commission there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of twenty-five thousand nine hundred (25,900) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of the industrial commissioner.....\$ 3,000.00

For salaries, support, maintenance, compensation and miscellaneous purposes 22,900.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the industrial commission\$ 25,900.00

DEPARTMENT OF INSURANCE
(See page 31 of Budget Report)

"Sec. 23. For the department of insurance there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of forty-four thousand one hundred twenty-five (44,125) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of the commissioner of insurance.....	\$ 4,000.00
For salaries, support, maintenance and miscellaneous purposes	40,125.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of insurance...\$ 44,125.00

DEPARTMENT OF JUSTICE
(See page 32 of Budget Report)

"Sec. 24. For the department of justice there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of ninety-three thousand five hundred (93,500) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of the attorney general.....	\$ 6,000.00
For salaries, support, maintenance and miscellaneous purposes	87,500.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of justice.....\$ 93,500.00

BUREAU OF LABOR
(See page 33 of Budget Report)

"Sec. 25. For the department of the bureau of labor there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of eighteen thousand two hundred forty (18,240) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of the commissioner of labor.....	\$ 3,000.00
For salaries, support, maintenance and miscellaneous purposes	15,240.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the bureau of labor\$ 18,240.00

LIBRARY COMMISSION
(See page 33 of Budget Report)

"Sec. 26. For the department of the library commission there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of nineteen thousand five hundred (19,500)

dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of the secretary.....	\$ 2,112.00
For salaries, support, maintenance and miscellaneous purposes	17,388.00
<hr/>	
Grand total of all appropriations for all purposes for each year of the biennium for the department of the library commission	\$ 19,500.00

STATE LIBRARY

(See page 34 of Budget Report)

"Sec. 27. For the department of the state library there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of forty-one thousand nine hundred sixteen (41,916) dollars or so much thereof as may be necessary, to be used in the following manner:

General Division

For salary of state librarian.....	\$ 2,400.00
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Law Division

For salary of law librarian.....	\$ 2,400.00
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Medical Division

For salary of medical librarian.....	\$ 2,000.00
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Economics and Sociology Division

For salary of librarian.....	\$ 1,500.00
For salaries, support, maintenance and miscellaneous purposes for all divisions to be expended under the supervision of the state librarian.....	\$ 33,616.00
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Grand total of all appropriations for all purposes for each year of the biennium for the department of the state library	\$ 41,916.00
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BOARD OF MINE EXAMINERS

(See page 35 of Budget Report)

"Sec. 28. For the department of the board of mine examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of fifteen hundred (1500) dollars or so much thereof as may be necessary, to be used in the following manner:

Per diem and expenses	\$ 1,500.00
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Grand total of all appropriations for all purposes for each year of the biennium for the department of the board of mine examiners	\$ 1,500.00
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MINE INSPECTORS

(See page 36 of Budget Report)

"Sec. 29. For the department of mine inspectors there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of sixteen thousand five hundred (16,500) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes provided that \$4,000 be allocated to the Iowa coal institute	\$ 16,500.00
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Grand total of all appropriations for all purposes for each year of the biennium for the department of mine inspectors	\$ 16,500.00
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THE NATIONAL GUARD

(See page 36 of Budget Report)

"Sec. 30. For the department of the national guard there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of two hundred twelve thousand six hundred fifty (212,650.00) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries of adjutant general.....	\$ 3,000.00
For salaries, support, graves registration, military property audit, aeronautics commission, maintenance and miscellaneous purposes	209,650.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the national guard	\$212,650.00
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BOARD OF PAROLE

(See page 39 of Budget Report)

"Sec. 31. For the department of the board of parole there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of twenty-seven thousand nine hundred ten (27,910) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries of board members, 2 @ \$2,790.00 each.....	\$ 5,580.00
For salary of legal members, 1 @ \$3,000.00.....	3,000.00
For salaries, support, maintenance and miscellaneous purposes	19,330.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the board of parole	\$ 27,910.00
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STATE PRINTING BOARD

(See page 41 of Budget Report)

"Sec. 32. For the department of the state printing board there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of fourteen thousand six hundred twenty (14,620) dollars or so much thereof as may be necessary, to be used in the following manner:

General Office

For salary of superintendent of printing.....	\$ 3,120.00
For salaries, support, maintenance and miscellaneous purposes	11,500.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the state printing board office

	\$ 14,620.00
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STATE PRINTING BOARD

(See page 41 of Budget Report)

"Sec. 33. For the department of the state printing board there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of one hundred twenty-nine thousand one hundred fifty (129,150) dollars or so much thereof as may be necessary, to be used in the following manner:

State Purposes

For the necessary printing and binding authorized by law for the General Assembly and for all state departments that have not been provided for in departmental appropriations	\$129,150.00
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This section is not to be construed or interpreted to include the expense of any printing for any of the following departments, bureaus, boards, or associations: state teachers' association, animal health and veterinary division of agricultural department for elimination of bovine tuberculosis, Iowa beef producers' association, Iowa corn and small grain growers' association, farmers' institutes, Iowa state dairy association, Iowa state poultry breeders' association, short courses, board of conservation, state entomologist, state fair board, agricultural societies, Iowa department of the grand army of the republic, horse breeders' associations, state library and all divisions thereof, psychopathic hospital, indigent hospital, state highway commission, receivership division of the banking department, board of engineering examiners, fish and game department, motor vehicle department, motor vehicle fuel tax division, institutions under the board of control, institutions under the board of education, and the state board of vocational education, board of educational examiners, industrial survey, motor carrier department, truck operator department, and any and every agency, activity and undertaking that has a fund for general support. Providing that funds appropriated by this section, in the discretion of the printing board, may be used in supplying paper stock, multi-

graph or mimeograph work for any of the foregoing departments, bureaus, associations and institutions, any sum so used for supplying multi-graph or mimeograph work to be refunded to the printing board and returned to the credit of the appropriation made for printing board general office expense; any sum so used for supplying paper stock to be refunded to the printing board and returned to the credit of the appropriation made by this section. These payments shall be made to the printing board in the same manner as other claims against such departments are paid, and the printing board shall remit the proceeds to the comptroller of state on the first secular day of each calendar month, taking the comptroller's receipt therefor, showing the same properly credited to the respective appropriations.

SUPERINTENDENT OF PUBLIC INSTRUCTION

(See page 41 of Budget Report)

"Sec. 34. For the department of the superintendent of public instruction there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of thirty-nine thousand four hundred thirty-four (39,434) dollars or so much thereof as may be necessary, to be used in the following manner:

General Office

For salary of superintendent of public instruction.....	\$ 4,500.00
For salaries, support, maintenance and miscellaneous purposes	34,934.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the superintendent of public instruction, office.....\$ 39,434.00

SUPERINTENDENT OF PUBLIC INSTRUCTION

(See page 42 of Budget Report)

"Sec. 35. For the department of the superintendent of public instruction there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of four hundred one thousand four hundred fifty (401,450) dollars or so much thereof as may be necessary, to be used in the following manner:

State Aid to Public Schools

For state aid to public schools:

Normal training schools	\$100,000.00
Consolidated	125,000.00
Standard schools (for use of rural schools only).....	90,000.00
Normal institutes	4,450.00
Mining camp schools	45,000.00
Mining camp schools emergencies.....	27,000.00
Handicapped children	10,000.00

The superintendent of public instruction shall apportion the appropriations for state aid to schools in mining camp districts and certify

to the state comptroller the amounts so allotted to these school corporations. Whereupon the state comptroller shall draw a warrant on the treasurer of state payable to each school corporation for the amount certified by the superintendent of public instruction and forward the same to the secretary of the school corporation.

Grand total of all appropriations for all purposes for each year of the biennium for the department of the superintendent of public instruction for state aid to public schools	\$401,450.00
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RELIEF

"Sec. 36. For relief there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of five hundred sixty (560) dollars or so much thereof as may be necessary, to be used in the following manner:

For relief purposes:

Relief of Frederick M. Hull.....	\$ 360.00
Relief of Marjorie Ball.....	200.00

Grand total of all appropriations for all purposes for each year of the biennium, for relief	\$ 560.00
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BOARD OF RAILROAD COMMISSIONERS

(See page 42 of Budget Report)

"Sec. 37. For the department of the board of railroad commissioners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of sixty thousand six hundred (60,600) dollars or so much thereof as may be necessary, to be used in the following manner:

Railroad Commission Office

For salaries of commissioners, 3 at \$3,800 each.....	\$ 11,400.00
For salaries, support, maintenance and miscellaneous purposes	49,200.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the railroad commission	\$ 60,600.00
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SECRETARY OF STATE

(See page 44 of Budget Report)

"Sec. 38. For the department of secretary of state there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of forty-eight thousand seven hundred (48,700) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of secretary of state.....	\$ 5,000.00
For salaries, support, maintenance and miscellaneous purposes for all divisions.....	43,700.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the secretary of state.....\$ 48,700.00

CLERK OF THE SUPREME COURT
(See page 45 of Budget Report)

"Sec. 39. For the department of the clerk of the supreme court there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of nine thousand ninety (9,090) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of clerk of the supreme court.....\$ 3,127.60
For salaries, support, maintenance and miscellaneous purposes 5,962.40

Grand total of all appropriations for all purposes for each year of the biennium for the department of the clerk of the supreme court\$ 9,090.00

SUPREME COURT
(See page 45 of Budget Report)

"Sec. 40. For the department of the supreme court there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of eighty-three thousand four hundred (83,400) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries of judges (9 at \$7,500 each).....\$ 67,500.00
For salaries, support, maintenance and miscellaneous purposes 15,900.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the supreme court\$ 83,400.00

REPORTER OF THE SUPREME COURT AND CODE EDITOR
(See page 46 of Budget Report)

"Sec. 41. For the department of the reporter of the supreme court and code editor there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of eleven thousand six hundred seventy-six (11,676) dollars and forty (40) cents or so much thereof as may be necessary, to be used in the following manner:

For salary of reporter of the supreme court and code editor\$ 3,850.00
For salaries, support, maintenance and miscellaneous purposes 7,826.40

Grand total of all appropriations except as provided by section one hundred seventy-seven (177) of the Code for all purposes for each year of the biennium for the department of the reporter of the supreme court and code editor\$ 11,676.40

TREASURER OF STATE

(See page 46 of Budget Report)

"Sec. 42. For the department of treasurer of state there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of eighty-one thousand five hundred (81,500) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of treasurer of state.....	\$ 5,000.00
For salaries, support, maintenance and miscellaneous purposes for all divisions	76,500.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the treasurer of state\$ 81,500.00

BOARD OF VOCATIONAL EDUCATION

(See page 48 of Budget Report)

"Sec. 43. For the department of vocational education there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of thirty-five thousand forty (35,040) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of director of the vocational education division and civilian rehabilitation division.....	\$ 3,000.00
For salaries, support, maintenance and miscellaneous purposes	32,040.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the board of vocational education\$ 35,040.00

BOARD OF CONTROL OF STATE INSTITUTIONS

(See pages 58-70 of Budget Report)

"Sec. 44. For the board of control of state institutions, for the support, maintenance, operation, additions and betterments of all state institutions under control of the said board, namely:

State hospital and colony for epileptics and feeble-minded, Woodward.
 Institutions for feeble-minded children, Glenwood.
 State hospital for insane, Cherokee.
 State hospital for insane, Clarinda.
 State hospital for insane, Independence.
 State hospital for insane, Mount Pleasant.

State juvenile home, Toledo.
 Penitentiary, Fort Madison.
 Men's reformatory, Anamosa.
 Women's reformatory, Rockwell City.
 State sanatorium, Oakdale.
 Iowa soldiers' home, Marshalltown.
 Iowa soldiers' orphans' home, Davenport.
 Training school for boys, Eldora.
 Training school for girls, Mitchellville.

There is hereby appropriated the sum of three million eight hundred eighty thousand seven hundred seventy-seven (3 880,777) dollars or so much thereof as may be necessary for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, to be used at the respective institutions in the following manner and for the following purposes: State Hospital and Colony for Epileptics and Feeble-minded, Woodward

(1) For the state hospital and colony for epileptics and feeble-minded there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of two hundred fifty thousand five hundred twenty-two (250,522) dollars and thirty (30) cents or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and improvements.....\$250,522.30

Institution for Feeble-minded Children, Glenwood

(2) For the institution for feeble-minded children there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of three hundred twenty-seven thousand four hundred eighty-three (327,483) dollars and fifty (50) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$327,483.50

State Hospital for Insane, Cherokee

(3) For the state hospital for the insane, Cherokee, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of three hundred forty-eight thousand four hundred sixty-one (348,461) dollars and ten (10) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements....\$348,461.10

State Hospital for Insane, Clarinda

(4) For the state hospital for the insane, Clarinda, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of two hundred ninety-three thousand three hundred seventeen (293,317) dollars and ten (10) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements....\$293,317.10

State Hospital for Insane, Independence

(5) For the state hospital for the insane, Independence, there is hereby appropriated for each year of the biennium beginning July 1,

1935, and ending June 30, 1937, the sum of three hundred twenty-nine thousand eight hundred seventy-seven (329,877) dollars and ninety (90) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$329,877.90

State Hospital for Insane, Mt. Pleasant

(6) For the state hospital for the insane, Mount Pleasant, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of three hundred nineteen thousand one hundred thirty-nine (319,139) dollars and eighty (80) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$319,139.80

State Juvenile Home, Toledo

(7) For the state juvenile home, Toledo, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of one hundred nineteen thousand sixty-nine (119,069) dollars and thirty (30) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$119,069.30

Penitentiary, Fort Madison

(8) For the state penitentiary, Fort Madison, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of four hundred sixty-nine thousand one hundred fifty (469,150) dollars and fifty (50) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$469,150.50

Provided, however, that in the appropriation herein made the board of control shall so allocate said appropriation that every employee of the penitentiary at Fort Madison shall have one day vacation out of every consecutive seven days.

State Reformatory, Anamosa

(9) For the men's reformatory, Anamosa, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of three hundred seventy-five thousand four hundred fifty (375,450) dollars and ninety (90) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$375,450.90

Provided, however, that in the appropriation herein made the board of control shall so allocate said appropriation that every employee of the men's reformatory at Anamosa shall have one day vacation out of every consecutive seven days.

Women's Reformatory, Rockwell City

(10) For the women's reformatory, Rockwell City, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of fifty-six thousand six hundred ten

(56,610) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$ 56,610.00

State Sanatorium, Oakdale

(11) For the state sanatorium, Oakdale, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of two hundred nineteen thousand four hundred ninety-four (219,494) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$219,494.00

For Soldiers' Home, Marshalltown

(12) For the Iowa soldiers' home, Marshalltown, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of two hundred five thousand five hundred ninety-five (205,595) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$205,595.00

Iowa Soldiers' Orphans' Home, Davenport

(13) For the Iowa soldiers' orphans' home, Davenport, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of one hundred eighty-eight thousand fifty-nine (188,059) dollars and ninety (90) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$188,059.90

Training School for Boys, Eldora

(14) For the training school for boys, Eldora, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of one hundred seventy-seven thousand five hundred eighty-four (177,584) dollars and eighty (80) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$177,584.80

Training School for Girls, Mitchellville

(15) For the training school for girls, Mitchellville, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of seventy-six thousand nine hundred sixty (76,960) dollars and ninety (90) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$ 76,960.90

Emergency Fund

(16) For emergency purposes, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of fourteen thousand (14,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For emergencies and unforeseen expenses at any or all institutions under the control of said board.....\$ 14,000.00

Additional Emergency Fund

(17) For the board of control institutions there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of one hundred thousand (100,000) dollars or so much thereof as may be necessary, to meet any emergency or contingency that may arise at any of the institutions under the board, but no expenditures shall be made from this fund without the approval of the Governor and the state comptroller first obtained.

Road Fund

(18) For road purposes there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of ten thousand (10,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For construction, maintenance and repairs of roads at institutions under the control of said board.....\$ 10,000.00

Grand total of all appropriations for all purposes for each year of the biennium for all institutions under the board of control\$3,880,777.00

STATE BOARD OF EDUCATION

(See pages 71-92 of Budget Report)

"Sec. 45. For the state board of education, for the administration, maintenance, operation, additions and betterments of the state university of Iowa, at Iowa City; the Iowa state college of agriculture and mechanic arts, at Ames; the Iowa state teachers' college, at Cedar Falls; the Iowa school for the deaf, at Council Bluffs; the Iowa school for the blind, at Vinton; the university hospital, at Iowa City, the psychopathic hospital, at Iowa City; and the bacteriological laboratory, at Iowa City; and for soldiers' tuition:

There is hereby appropriated the sum of five million eight hundred forty-one thousand seven hundred twenty (5,841,720) dollars or so much thereof as may be necessary, for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, to be used in the following manner and for the following purposes, to wit:

State University of Iowa

(1) For the state university of Iowa, at Iowa City, for each year of said biennium, the sum of one million nine hundred fifty thousand (1,950,000) dollars or so much thereof as may be necessary, for salaries other than the president, support, maintenance, equipment and general improvements.

(a) There is hereby appropriated for the salary of the president of the state university of Iowa for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, a sum not to exceed ten thousand (10,000) dollars.

Iowa State College of Agriculture and Mechanic Arts

(2) For the Iowa state college of agriculture and mechanic arts at Ames, Iowa, for each year of said biennium, the sum of one million nine hundred thirty-one thousand (1,931,000) dollars or so much thereof as may be necessary, for salaries, other than the president, support, maintenance, equipment and general improvements.

(a) There is hereby appropriated for the salary of the president of the Iowa state college of agriculture and mechanic arts for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, a sum not to exceed nine thousand (9,000) dollars.

Iowa State Teachers' College

(3) For the Iowa state teachers' college, at Cedar Falls, for each year of said biennium, the sum of five hundred sixty-three thousand (563,000) dollars or so much thereof as may be necessary, for salaries other than the president, support, maintenance, equipment and general improvements.

(a) There is hereby appropriated for the salary of the president of the Iowa state teachers' college for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, a sum not to exceed seven thousand (7,000) dollars.

Iowa School for the Deaf

(4) For the Iowa school for the deaf, at Council Bluffs, for each year of said biennium, the sum of two hundred seven thousand (207,000) dollars or so much thereof as may be necessary, to be expended as follows:

For salaries, support and maintenance.....\$207,000.00

Iowa School for the Blind

(5) For the Iowa school for the blind at Vinton, for each year of said biennium the sum of one hundred five thousand (105,000) dollars or so much thereof as may be necessary, to be expended as follows:

For salaries, support, maintenance, general improvements
and betterments\$105,000.00

MEDICAL AND SURGICAL TREATMENT OF INDIGENT PERSONS,
UNIVERSITY HOSPITAL

(6) For the purpose of carrying out the provisions of chapter one hundred ninety-nine (199), Code, 1931, for each year of said biennium, the sum of nine hundred forty thousand, nine hundred ninety-four (940,994) dollars or so much thereof as may be necessary, to be expended in the manner and under the authority provided in said chapter.

PSYCHOPATHIC HOSPITAL

(7) For the psychopathic hospital, at Iowa City, for each year of said biennium the sum of one hundred thousand (100,000) dollars or so much thereof as may be necessary, to be used in the manner and under the authority provided in chapter one hundred ninety-seven (197), Code, 1931;

provided however, that said amount shall be available in monthly installments, not exceeding eight thousand three hundred thirty-three (8,333) dollars and that said installments shall be expended only upon the submission of bills in the manner provided in section three thousand nine hundred eighty-four (3984) of said chapter.

BACTERIOLOGICAL LABORATORY

(8) For the bacteriological laboratory, at Iowa City, for each year of said biennium, the sum of twelve thousand two hundred twenty-six (12,226) dollars or so much thereof as may be necessary, to be used in the manner and under the authority provided in chapter one hundred ninety-six (196), Code, 1931.

SOLDIERS' TUITION

(9) The sum of four thousand (4,000) dollars or so much thereof as may be necessary, for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, for the payment of tuition for honorably discharged soldiers or sailors of the world war of the United States who are citizens of the state of Iowa, who enroll in any division of the State university, at Iowa City, or the college of agriculture and mechanic arts at Ames, said payment being fixed at twenty (20) dollars for each student for each semester and each summer school.

Grand total of all appropriations for all purposes for each year of the biennium, for all institutions under the board of education\$5,839,220.00

GENERAL CONTINGENT FUND

"Sec. 46. For the purpose of establishing a general contingent fund for the state, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of one hundred thousand (100,000) dollars or so much thereof as may be necessary, to be administered by the committee on retrenchment and reform for contingencies arising during the biennium, which are legally payable from the general fund of the state.

INSURANCE DEPARTMENT

"Sec. 47. The insurance commissioner is hereby authorized to employ not to exceed eighteen (18) insurance examiners, of which examiners the commissioner may designate two examiners in charge at per diem not to exceed seventeen (17) dollars and fifty (50) cents each, and expenses as herein provided, all other examiners at per diem not exceeding fifteen (15) dollars each, and their actual and necessary expenses while engaged in the performance of their duties, said per diem and expenses to be paid from funds in the state treasury upon presentation of proper vouchers and warrants; provided, however, that the state treasurer shall be reimbursed in the manner and under the authority provided in sections eight thousand six hundred thirty-two (8,632) and eight thousand six hundred thirty-three (8,633), Code, 1931.

COUNTY AND MUNICIPAL EXAMINERS

"Sec. 48. The auditor of state is hereby authorized to employ county, municipal, and school examiners and assistants at a per diem not exceeding seven (7) dollars each, and their actual and necessary expenses while engaged in the performance of their duties, to be paid in the manner provided in sections one hundred twenty-five (125) and one hundred twenty-six (126), Code, 1931.

PIONEER LAW MAKERS

"Sec. 49. For the pioneer law makers there is hereby appropriated the sum of seventy-five (75) dollars or so much thereof as may be necessary for each year of the biennium beginning July 1, 1935, and ending June 30, 1937.

PRESIDENTIAL ELECTORS

"Sec. 50. For the presidential electors there is hereby appropriated the sum of one hundred fifty (150) dollars or so much thereof as may be necessary for each year of the biennium beginning July 1, 1935, and ending June 30, 1937.

BOARD OF ENGINEERING EXAMINERS

"Sec. 51. The board of engineering examiners is hereby authorized to pay its secretary a salary of six hundred (600) dollars per year and to pay a clerk three hundred (300) dollars per year, to be paid out of funds belonging to the board of engineering examiners.

GENERAL PROVISIONS

"Sec. 52. The governing board of any state department, institution, or agency, of, if there be no governing board, the head of any department, institution or agency, in the interest of economy and efficiency, may, with the written consent and approval of the Governor and state comptroller, first obtained, at any time during the biennium, partially or wholly use its unexpended appropriations for purposes properly within the scope of such department, institution or agency.

"Sec. 53. No state department, institution, or agency receiving appropriations under the provisions of this act shall expend funds or approve claims in excess of its appropriations except as otherwise provided in this act. If the expenditures of any state department, institution, or agency, shall in any other manner exceed the amounts of its appropriation, the members of the governing board of any such state department, institution or agency who shall have voted for such excessive expenditures, or, if there be no governing board, the head of any such state department, institution, or agency making excessive expenditure or approving excessive claims shall be personally liable for the full amount of the unauthorized deficit thus created.

When the appropriation of any department, institution or agency, is insufficient to properly meet the legitimate expense of such department, institution or agency of the state, the state comptroller, with the approval of the Governor, is authorized to transfer from any other department, institution or agency of the state having an appropriation in excess of its necessity, sufficient funds to meet that deficiency.

"Sec. 54. No obligation of any kind, whatsoever, shall be incurred or created subsequent to June 30, 1937, against any appropriation made by this act, unless otherwise specifically provided by law, and, on June 30, 1937, it shall be the duty of the head of each department, board or commission, receiving appropriations under the provisions of this act, to file with the state comptroller a list of all expenditures for which warrants have not been drawn.

"Sec. 55. Except where otherwise specifically provided by law, all appropriations made by this act, remaining unexpended or unobligated, at the close of business on December 31, 1937, shall revert to and become a part of the general fund in the state treasury.

"Sec. 56. All salaries provided for by this act are in lieu of all existing statutory salaries, for the positions provided herein, and shall be payable in equal monthly or semi-monthly installments, and shall be in full compensation for all services except as otherwise expressly provided.

Employees of the state are granted one (1) week's vacation after one (1) year's steady employment and two (2) weeks' vacation after two (2) or more year's employment, with pay. Leave of absence of thirty (30) days is granted to employees on account of sickness or injury, accumulative for three (3) consecutive years, with pay at the discretion of the heads of departments.

"Sec. 57. Employees of the state shall be under the control of the head of the department and the compensation shall be subject to approval of the Governor and state comptroller. Any employee may be assigned to such duties as the department head shall direct.

"Sec. 58. For the office of state comptroller there is hereby set aside from the collection of taxes on motor vehicle fuel, the sum of two thousand five hundred (2,500) dollars or so much thereof as may be necessary annually, for use in employing sufficient help in writing motor vehicle fuel tax refund warrants.

"Sec. 59. For the office of the industrial commissioner there is hereby set aside from the primary road fund the sum of fifteen thousand (15,000) dollars or so much thereof as may be necessary annually, for use in paying all claims of the employees of the state highway commission who are injured or killed while on duty, as provided for in chapter seventy (70) of the Code.

"Sec. 60. For the office of the attorney general there is hereby set aside from the primary road fund the sum of fifteen thousand (15,000) dollars or so much thereof as may be necessary annually, for the purpose of covering all costs of litigation arising from or pertaining to primary roads.

"Sec. 61. For the purpose of complying with the requirements of the federal public works act and to make repairs, improvements and betterments at the various state institutions there is hereby appropriated the sum of eight hundred eight thousand (808,000) dollars or so much thereof as may be necessary, for each year of the biennium beginning July 1, 1935, and ending June 30, 1937.

To be expended by the board of control:

New power plant, Clarinda state hospital.....	\$ 43,750.00
Remodeling power plant and new equipment for same at Cherokee state hospital	26,250.00
Boilers and power plant equipment, Mitchellville	7,000.00
New hospital building, Oakdale	43,750.00
Two (2) new cottages, Woodward.....	122,500.00
One (1) new cottage, Glenwood.....	80,000.00
Extension prison wall, Fort Madison.....	8,750.00
Remodeling kitchens and dining rooms, Clarinda.....	56,000.00

To be expended by the board of education:

State University, Iowa City.....	117,250.00
State College, Ames.....	117,250.00
State Teachers College, Cedar Falls.....	52,500.00
School for blind, Vinton.....	21,000.00
School for deaf, Council Bluffs.....	15,750.00

To be expended by the state fair board:

State fair grounds, repairing and remodeling swine building	26,250.00
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No expenditure of any of the funds appropriated by this section shall be made unless first approved by the comptroller and by the executive council, and unless funds available therefor are over and above funds necessary to meet general appropriations.

The Governor and comptroller are hereby authorized to obtain federal grants to the state to be used in connection with funds above appropriated for repairs, improvements and betterments.

"Sec. 62. Where any provisions of the laws of this state are in conflict with this act the provisions of this act shall govern for the biennium.

"Sec. 63. All appropriations made by this act are to be recorded and accounted for as is the procedure for the appropriations for the present biennium.

"Sec. 64. For the commission on uniform laws there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of six hundred (600) dollars or so much thereof as may be necessary, to be used in the following manner:

For miscellaneous purposes	\$ 600.00"
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Respectfully submitted,

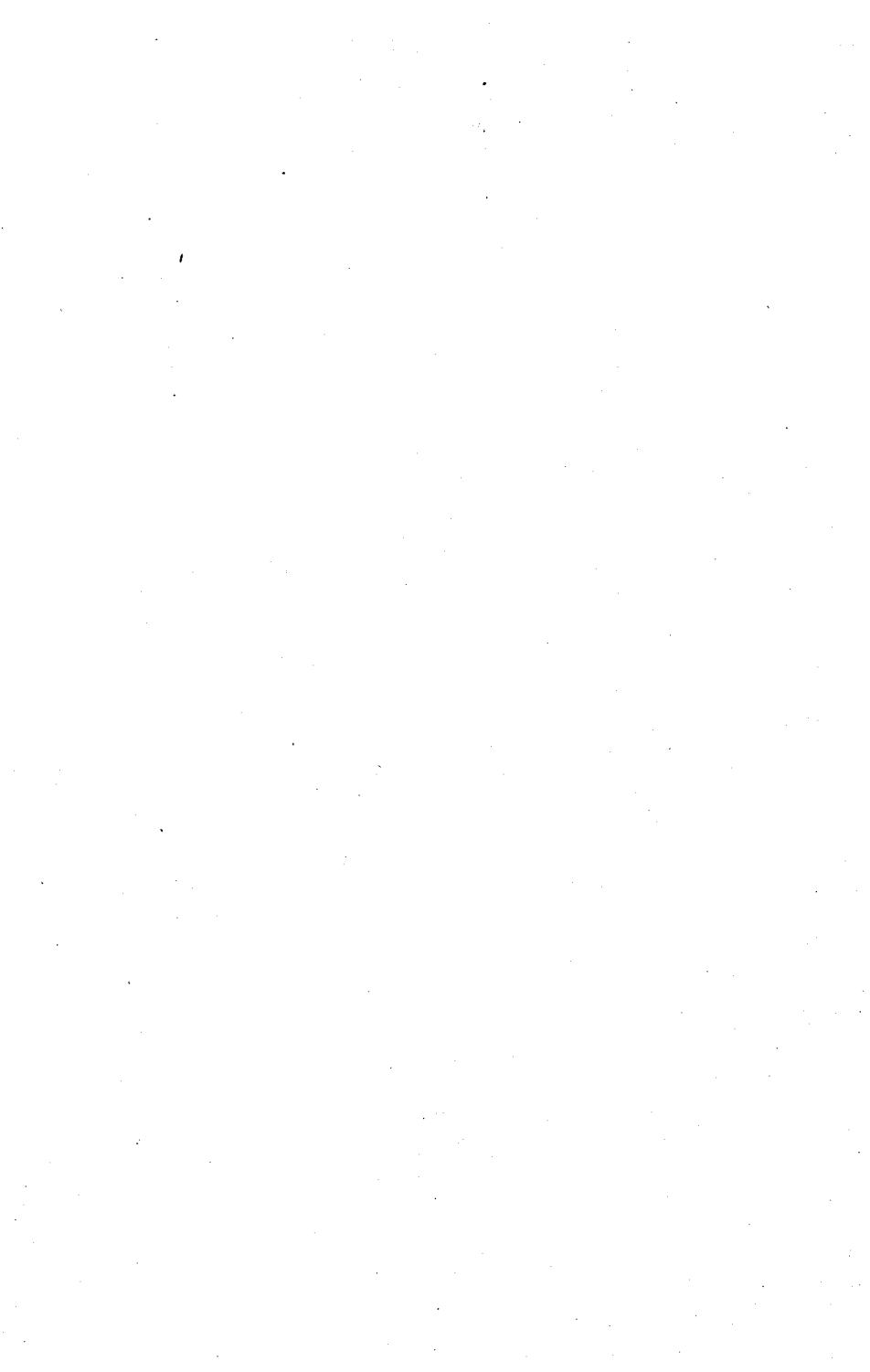
ROY E. STEVENS.
HOMER HUSH.
WILLIAM MCARTHUR.
T. F. DRISCOLL.

On the part of the Senate.

LEROY S. MERCER.
JOHN H. TAYLOR.
C. D. MOORE.
LEMAR FOSTER.

On the part of the House.

On motion of Senator Shangle the Senate recessed until the fall of the gavel.



The Senate reconvened at the fall of the gavel, President N. G. Kraschel presiding.

HOUSE CONCURRENT RESOLUTION 21 ADOPTED

Senator Hush called up for consideration House Concurrent Resolution 21, as found on page 1202 of the Senate Journal, and moved its adoption.

The motion prevailed and House Concurrent Resolution 21 was adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had signed Senate Files 62, 176, 184, 201, 213, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 323, 340 and 372 on April 23, 1935.

**CONFERENCE COMMITTEE REPORT ON
SENATE FILE 320 CONSIDERED**

By unanimous consent granted Senator Driscoll, the Senate considered the conference committee report on Senate File 320 as found on page 1329 of the Senate Journal.

Senator Driscoll moved that the conference committee report and amendments therein on Senate File 320 be adopted.

The question was, Shall the conference committee report and amendments therein be adopted?

On the question, Shall the conference committee report and amendments therein be adopted? the vote was:

Ayes, 28:

Aschenbrenner	Corwin	Malone	Roelofs
Beardsley	Donohue	Mason	Schmidt
Bell of Crawford	Doze	McArthur	Shangle
Bell of	Driscoll	Meyer	Stevens of
Des Moines	Fisch	Miller	Decatur
Berg	Goetsch	Millhone	Stevens of
Billingsley	Grunewald	Moore	Wapello
Byers	Knudson	Mullaney	

Nays, 16:

Baldwin	Hopkins	Parker	Shaw
Calhoun	Hush	Patterson	Stanley
Dewey	Husted	Pendray	Valentine
Elthon	Nelson	Reese	Wilson

Absent or not voting, 6:

Anderson	Geske	Irwin	Kimberly
Chrystal	Harrington		

The conference committee report and amendments therein having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Driscoll moved that the bill as amended be given its final reading and be placed on its passage, which motion prevailed and the bill as amended was read again.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 29:

Aschenbrenner	Corwin	Malone	Roelofs
Beardsley	Donohue	Mason	Schmidt
Bell of Crawford	Doze	McArthur	Shangle
Bell of Des Moines	Driscoll	Meyer	Shaw
Berg	Fisch	Miller	Stevens of Decatur
Billingsley	Goetsch	Millhone	Stevens of Wapello
Byers	Grunewald	Moore	
	Knudson	Mullaney	

Nays, 11:

Baldwin	Elthon	Husted	Reese
Calhoun	Hopkins	Parker	Stanley
Dewey	Hush	Pendray	

Absent or not voting, 10:

Anderson	Harrington	Nelson	Valentine
Chrystal	Irwin	Patterson	Wilson
Geske	Kimberly		

The bill as amended having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 505, a bill for an act making an appropriation to Horace Palmer.

Also: That the House has adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 23, memorializing Congress to enact House Resolution 6995 of the Federal Congress.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 249, a bill for an act relating to the purchases of tax sale certificates in drainage districts.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 321, a bill for an act relating to Iowa police radio system and to provide for an appropriation.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 375, a bill for an act making an appropriation to H. W. Hanson as administrator of the estate of Cleo D. Allen, deceased.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 388, a bill for an act making appropriations to Maud Emerson Barnhart, Wm. A. Emerson, administrator, et al.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 392, a bill for an act compelling legally responsible relatives to support indigent and elderly persons.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 394, a bill for an act relating to the declaration and payment of dividends by a bank or trust company.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 395, a bill for an act to authorize any state bank, etc., to enter into contracts, incur obligations, etc., as may be necessary to take advantage of memberships, loans, subscriptions, etc.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 396, a bill for an act authorizing preferred stock issued, to be included in determining whether state banks, etc., have complied with minimum capital requirements.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 397, a bill for an act making an appropriation to Simon Warner, Donald Warner, L. C. Meader et al.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 398, a bill for an act making an appropriation to Homer Ashmore, Blanche Capps et al.

Also: That the House has failed to pass the following bill in which the concurrence of the House was asked:

Senate File 399, a bill for an act making appropriations to Leo E. Mooney, Everest Agency, F. W. Bearman et al.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 401, a bill for an act making an appropriation to Earl Wymore.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 406, a bill for an act providing and appropriating funds for the Iowa emergency relief administration and Iowa emergency conservation works.

VIRGIL LEKIN, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 406

1. Strike all after the enacting clause and substitute in lieu thereof the following:

"Section 1. That chapter eighty-two (82), section sixty-one (61), acts of the Forty-fifth General Assembly, Extraordinary Session, is hereby amended by striking all of subsection two (2) and inserting in lieu thereof the following:

'2. a. On and after July 1, 1935, and up to and including January 1, 1937, the board shall set aside, quarterly, the sum of seven hundred fifty thousand (750,000) dollars to be paid into a fund to be known as the state emergency relief fund. It is further provided that the fund hereby appropriated shall be administered through the federal emergency relief administration for Iowa. With the exception of necessary administrative expenses, said funds shall be allocated by the federal emergency relief administration of Iowa throughout the various counties of this state in accordance with the need therefor.

b. It is further provided that during the period beginning July 1, 1935, and extending up to and including January 1, 1937, the board shall, from the revenue collected under this act, set aside, semi-annually, and cause to be paid into a fund to be known as the Iowa emergency conservation work fund, the sum of one hundred twenty-five thousand (125,000) dollars which sum is hereby appropriated for the use of the Iowa emergency conservation work in Iowa, said money to be used only for acquisition of lands, purchase of supplies, materials and equipment for rental thereof or for the employment of necessary personnel in connection with the CCC program in the state of Iowa, which the federal CCC administration does not provide. It is further provided that the sum hereby appropriated shall be administered through the Iowa emergency relief work of Iowa and that such funds shall be withdrawn only as needed from time to time by requisition of the Governor of the state of Iowa and upon warrants drawn by the state comptroller, payable to the Iowa emergency conservation work.'

"Sec. 2. This act, being deemed of immediate importance, shall be in full force and effect from and after its passage and publication in the Sigourney Review, a newspaper published at Sigourney, Iowa, and the Kossuth County Advance, a newspaper published at Algona, Iowa."

2. Amend the title by striking all after the comma in line 1 and substituting in lieu thereof the following:

"section sixty-one (61), acts of the Forty-fifth General Assembly, Extraordinary Session, to provide funds for the Iowa emergency relief administration and for the Iowa emergency conservation works and the administration thereof."

HOUSE AMENDMENTS CONSIDERED

Senator Valentine was granted unanimous consent to call up for consideration Senate File 406, amended by the House, and moved that the Senate concur in the amendments, as found on page 1382 of the Senate Journal.

The question was, Shall the Senate concur?

On the question, Shall the Senate concur? the vote was:

Ayes, 4:

Elthon	Hopkins	Husted	Mason
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Nays, 36:

Aschenbrenner	Corwin	Meyer	Schmidt
Baldwin	Dewey	Miller	Shangle
Beardsley	Donohue	Moore	Shaw
Bell of Crawford	Doze	Mullaney	Stanley
Bell of	Driscoll	Nelson	Stevens of
Des Moines	Fisch	Parker	Decatur
Berg	Grunewald	Patterson	Stevens of
Billingsley	Knudson	Pendray	Wapello
Byers	Malone	Reese	Valentine
Calhoun	McArthur	Roelofs	

Absent or not voting, 10:

Anderson	Goetsch	Irwin	Millhone
Chrystal	Harrington	Kimberly	Wilson
Geske	Hush		

The House amendments not having received a constitutional majority the Senate was declared to have refused to concur in the House amendments.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled House Files 270, 492, 493, 497, 500, 501, 503, 506, 507, Senate Files 113, 144, 227, 254, 128, 393 and Senate Joint Resolution 8.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House

Files 270, 492, 493, 497, 500, 501, 503, 506, 507, Senate Files 113, 144, 227, 254, 128, 393 and Senate Joint Resolution 8.

BILLS SENT TO THE GOVERNOR

Senator Calhoun, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 23rd day of April 1935, sent to the Governor for his approval Senate Files 113, 144, 227, 254, 128, 393 and Senate Joint Resolution 8.

JOHN N. CALHOUN, *Chairman.*

Passed on file.

CALL OF THE SENATE FILED

We hereby request a call of the Senate on the introduction of the proposed bill to amend House File 311.

FRANK C. BYERS.

E. P. DONOHUE.

L. T. SHANGLE.

GEO. A. WILSON.

PAUL L. MILLHONE.

H. C. BALDWIN.

M. MOORE.

E. P. CORWIN.

GEO. L. PARKER.

J. BERG.

JOHN W. BILLINGSLEY.

G. W. PATTERSON.

I. G. CHRYSAL.

Senator Shangle moved that the Senate recess until the fall of the gavel.

Roll call was requested.

The question was, Shall the Senate recess?

On the question, Shall the Senate recess? the vote was:

Ayes, 18:

Anderson	Goetsch	Mullaney	Stanley
Aschenbrenner	Husted	Patterson	Stevens of
Calhoun	Mason	Pendray	Decatur
Dewey	Meyer	Shangle	Stevens of
Driscoll	Miller	Shaw	Wapello

Nays, 26:

Baldwin	Byers	Hopkins	Moore
Beardsley	Corwin	Hush	Parker
Bell of Crawford	Donohue	Irwin	Roelofs
Bell of	Doze	Kimberly	Schmidt
Des Moines	Elthon	Knudson	Valentine
Berg	Geske	Malone	Wilson
Billingsley	Grunewald	Millhone	

Absent or not voting, 6:

Chrystal	Harrington	Nelson	Reese
Fisch	McArthur		

The motion to recess was lost.

Senator Donohue was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

A bill by committee on judiciary No. 1 for an act to amend House File three hundred eleven (311), as passed by the Forty-sixth General Assembly, signed by the Governor on April 29, 1935, and now on file in the office of the secretary of state, relating to taxes on chain stores and providing for certain exemptions therefrom was read a first time.

Senator Calhoun raised the point of order that under Senate Rule 22, introduction of the bill was out of order.

Senator Patterson raised the point of order that the same subject matter previously had been acted upon adversely by the Senate.

Senator Calhoun withdrew his point of order in favor of Senator Patterson. The chair ruled the Patterson point was well taken.

Senator Donohue moved that the rules be suspended and that the committee on judiciary No. 1 be permitted to introduce the bill at this time.

Senator Donohue was granted unanimous consent to correct the bill by striking the words "on April 29, 1935" wherever it might appear therein.

Senator Doze moved the previous question, which motion prevailed.

Senator Mason moved that the Senate recess until the fall of the gavel.

Roll call was requested.

The question was, Shall the Senate recess?

On the question, Shall the Senate recess? the vote was:

Ayes, 26:

Anderson	Elthon	Mason	Shangle
Aschenbrenner	Goetsch	McArthur	Shaw
Bell of Crawford	Hopkins	Meyer	Stanley
Calhoun	Hush	Miller	Stevens of
Chrystal	Husted	Mullaney	Decatur
Dewey	Irwin	Patterson	Stevens of
Driscoll	Knudson	Pendray	Wapello

Nays, 20:

Baldwin	Byers	Grunewald	Parker
Beardsley	Corwin	Kimberly	Roelofs
Bell of	Donohue	Malone	Schmidt
Des Moines	Doze	Millhone	Valentine
Berg	Geske	Moore	Wilson
Billingsley			

Absent or not voting, 4:

Fisch	Harrington	Nelson	Reese
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The motion prevailed and the Senate recessed until the fall of the gavel.

The Senate reconvened at the fall of the gavel, President N. G. Kraschel presiding.

Consideration of the pending Donohue motion was resumed.

A call of the Senate having been filed, a roll call revealed Senators Anderson, Geske and Kimberly were absent from the Senate chamber.

Senator Beardsley moved that the Senate proceed with the consideration of the Donohue motion with the understanding that no roll call be taken until the absent members might appear in the Senate chamber, which motion prevailed.

Senator Elthon moved that all speeches, with the exception of the final remarks of the sponsor of the bill, be dispensed with.

Senator Patterson raised the point of order that the motion was out of order inasmuch as the previous question had prevailed.

By unanimous consent Senator Elthon withdrew his motion.

Senators Anderson, Kimberly and Geske having appeared in the Senate chamber, the call of the Senate was declared to be complete.

Senator Harrington raised the point that inasmuch as the House

had refused to consider the companion bill to this proposed bill, the Senate should not proceed further.

Senator Beardsley moved that action on this bill be deferred.

Senator Donohue raised the point of order that the previous question had prevailed and therefore such motions were out of order, which point the chair sustained.

The question was, Shall the rules be suspended and the bill be introduced?

Roll call was requested.

On the question, Shall the rules be suspended and the bill be introduced? the vote was:

Ayes, 24:

Baldwin	Corwin	Hopkins	Nelson
Bell of	Donohue	Irwin	Parker
Des Moines	Doze	Kimberly	Roelofs
Berg	Fisch	Knudson	Schmidt
Billingsley	Geske	Millhone	Valentine
Byers	Grunewald	Moore	Wilson
Chrystal			

Nays, 25:

Anderson	Goetsch	Meyer	Shaw
Aschenbrenner	Harrington	Miller	Stanley
Beardsley	Hush	Mullaney	Stevens of
Calhoun	Husted	Patterson	Decatur
Dewey	Malone	Pendray	Stevens of
Driscoll	Mason	Reese	Wapello
Elthon	McArthur	Shangle	

Absent or not voting, 1:

Bell of Crawford

The motion to suspend the rules was lost.

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 514, a bill for an act relating to the control of alcoholic liquors.

VIRGIL LEKIN, *Chief Clerk.*

On motion of Senator Wilson, the Senate stood at ease until the fall of the gavel.

The Senate came to order at the fall of the gavel.

Senator Hush moved that no more bills be considered except appropriation bills, bills dealing with the millage levy, bills for concurrence in amendments, conference committee reports and legalizing acts.

Senator Stevens of Wapello moved to amend the motion to except bills passed by the House.

Senator Driscoll moved to amend the Hush motion to except Senate File 363, which motion was withdrawn by unanimous consent.

Senator Byers moved the previous question, which motion prevailed.

On motion of Senator Elthon the Senate recessed until the fall of the gavel.

At the fall of the gavel the Senate reconvened.

The question was, Shall the Stevens amendment to the Hush motion prevail?

Roll call was requested.

On the question, Shall the Stevens amendment to the Hush motion prevail? the vote was:

Ayes, 20:			
Anderson	Driscoll	Miller	Stevens of
Bell of Crawford	Grunewald	Moore	Decatur
Bell of	Knudson	Mullaney	Stevens of
Des Moines	Mason	Reese	Wapello
Chrystal	McArthur	Schmidt	Valentine
Doze	Meyer	Shaw	
Nays, 23:			
Beardsley	Dewey	Hush	Pendray
Berg	Elthon	Husted	Roelofs
Billingsley	Fisch	Kimberly	Shangle
Byers	Goetsch	Malone	Stanley
Calhoun	Harrington	Nelson	Wilson
Corwin	Hopkins	Patterson	
Absent or not voting, 7:			
Aschenbrenner	Donohue	Irwin	Parker
Baldwin	Geske	Millhone	

The motion to amend was lost.

Senator Driscoll moved to amend the Hush motion to except Senate File 363.

Roll call was requested.

The question was, Shall the amendment be adopted?

On the question, Shall the amendment be adopted? the vote was:

Ayes, 20:

Aschenbrenner	Irwin	Moore	Stevens of
Bell of Crawford	Knudson	Mullaney	Decatur
Chrystal	Mason	Reese	Stevens of
Driscoll	McArthur	Schmidt	Wapello
Geske	Meyer	Shangle	Valentine
Harrington	Miller		

Nays, 28:

Anderson	Dewey	Hopkins	Parker
Beardsley	Donohue	Hush	Patterson
Berg	Doze	Husted	Pendray
Billingsley	Elthon	Kimberly	Roelofs
Byers	Fisch	Malone	Shaw
Calhoun	Goetsch	Millhone	Stanley
Corwin	Grunewald	Nelson	Wilson

Absent or not voting, 2:

Baldwin	Bell of
	Des Moines

Rule 8 was invoked.

The motion to amend was lost.

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 insists on its amendments to the following bill in which the concurrence of the Senate was asked:

Senate File 406, a bill for an act providing and appropriating funds for the Iowa emergency relief administration and the Iowa emergency conservation works, and has appointed the following conference committee: Bonnstetter of Kossuth, Rice of Keokuk, Freeburn of Scott and Cunningham of Polk.

VIRGIL LEKIN, *Chief Clerk.*

Senator Chrystal moved to amend the Hush motion to except Senate File 360.

PROF. G. B. MACDONALD ADDRESSED SENATE

By unanimous consent granted Senator Stevens of Wapello, Prof. G. B. MacDonald, state director of emergency conservation work, addressed the Senate regarding Senate File 360.

The motion prevailed and the Chrystal amendment was adopted.

The question was, Shall the Hush motion, as amended, prevail?

Roll call was requested.

On the question, Shall the Hush motion, as amended, prevail?
the vote was:

Ayes, 28:

Aschenbrenner	Dewey	Hopkins	Millhone
Beardsley	Donohue	Hush	Patterson
Berg	Elthon	Husted	Pendray
Billingsley	Fisch	Irwin	Shangle
Byers	Geske	Kimberly	Shaw
Calhoun	Goetsch	Knudson	Stanley
Corwin	Harrington	Miller	Wilson

Nays, 16:

Anderson	Malone	Mullaney	Stevens of
Baldwin	McArthur	Parker	Decatur
Bell of Crawford	Meyer	Reese	Stevens of
Chrystal	Moore	Schmidt	Wapello
Grunewald			Valentine

Absent or not voting, 6:

Bell of	Doze	Mason	Roelofs
Des Moines	Driscoll	Nelson	

The motion as amended prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has refused to adopt the conference report on the following bill in which the concurrence of the House was asked:

House substitute for House File 214, a bill for an act establishing the general fund for the state of Iowa, for the biennium beginning July 1, 1935, and the following have been appointed as a second conference committee on the part of the House: Mercer of Johnson, Bonnstetter of Kossuth, Johnson of Hancock and Irwin of Lee.

Also: That the House has refused to adopt the conference report on the following bill in which the concurrence of the House was asked:

Senate File 320, a bill for an act relating to the sale and distribution of beer, and the following have been appointed as a second conference committee on the part of the House: Gallagher of Iowa, McGill of Sioux, Stimpson of Jones and McFarlane of Black Hawk.

VIRGIL LEKIN, Chief Clerk.

Senator Wilson moved that no bill be withdrawn from the sifting committee without a two-thirds vote of the Senate.

Senator Donohue moved the previous question, which motion prevailed.

Senator Stevens of Wapello raised the point of order that under

Senate Rule 43 a two-thirds vote would be necessary to adopt the motion. The chair sustained the point.

The question was, Shall the motion prevail?

On the question, Shall the motion prevail, the vote was:

Ayes, 34:

Anderson	Dewey	Hush	Nelson
Aschenbrenner	Donohue	Husted	Patterson
Baldwin	Elthon	Irwin	Pendray
Beardsley	Fisch	Kimberly	Roelofs
Berg	Geske	Knudson	Shangle
Billingsley	Goetsch	McArthur	Shaw
Byers	Grunewald	Meyer	Stanley
Calhoun	Harrington	Millhone	Wilson
Corwin	Hopkins		

Nays, 11:

Bell of Crawford	Mullaney	Schmidt	Stevens of
Chrystal	Parker	Stevens of	Wapello
Malone	Reese	Decatur	Valentine
Moore			

Absent or not voting, 5:

Bell of	Doze	Mason	Miller
Des Moines	Driscoll		

The motion, having received a two-thirds majority, prevailed.

HOUSE MESSAGES CONSIDERED

House File 505, a bill for an act to make an appropriation to Horace Palmer.

The bill was read first and second times and referred to committee on appropriations.

House File 514, a bill for an act to repeal section five (5), of chapter twenty-four (24), acts of the Forty-fifth General Assembly, Extraordinary Session, and enact a substitute therefor relating to the control of alcoholic liquors, and the appointment of a state liquor control board and the powers and duties thereof.

The bill was read first and second times and referred to the sifting committee.

CONFERENCE COMMITTEES APPOINTED

The President appointed as a conference committee on Senate File 406 the following Senators: Valentine, Chrystal, Stevens of Decatur and Roelofs.

The President appointed as a second conference committee on Senate File 320 the following Senators: Driscoll, Harrington, Corwin and Moore.

The President appointed as a second conference committee on the substitute for House File 214 the following Senators: Stevens of Wapello, Irwin, Wilson and Donohue.

AMENDMENTS FILED

Amend Senate File 360 by inserting as Sec. 2. and renumbering the remaining sections, the following:

"Sec. 2. All lands acquired under this act by the state conservation commission or any agency of the federal government shall be subject to the regular tax levies as other real estate in said taxing district in each and every year and this provision of law shall be written into every conveyance of real estate under this act." JOHN N. CALHOUN.

Senator Patterson moved the Senate recess until the fall of the gavel, which motion prevailed.

The Senate reconvened at the fall of the gavel, President N. G. Kraschel presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 307, a bill for an act relating to appointments under the soldiers' preference law, etc.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 174, a bill for an act relating to redemption from execution sale by the title holder.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 291, a bill for an act relating to authorized securities and investments of trust funds by fiduciaries.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 292, a bill for an act providing for the sale or mortgage of exempt real and personal property of persons under guardianship, etc.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 293, a bill for an act relating to mortgaging of real estate by an executor, guardian or other person in fiduciary capacity.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 297, a bill for an act providing for the abandonment and dissolution of drainage or levee districts in certain cases, etc.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 298, a bill for an act providing for the mortgaging by an executor or administrator of real estate of decedent, etc.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 299, a bill for an act providing the state of Iowa may be made party in actions involving title to or partition of real estate, the foreclosure of mortgages and liens.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 379, a bill for an act legalizing expenditures heretofore made by the city of Davenport pertaining to the municipal airport.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 380, a bill for an act legalizing the corporate acts and proceedings of the Davenport Auto Truck Co.

VIRGIL LEKIN, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 307, a bill for an act to amend chapter sixty (60), Code, 1931, and section eleven hundred sixty-one (1161), Code, 1931, relating to appointments under soldiers' preference law; providing for a record of qualification and appeals to the district court and supreme court of the state of Iowa.

The bill was read first and second times and referred to the sifting committee.

THIRD READING OF BILLS

By unanimous consent granted Senator Roelofs, House File 307 was withdrawn from the sifting committee and called up for consideration.

House File 307, a bill for an act to amend chapter sixty (60), Code, 1931, and section eleven hundred sixty-one (1161), Code, 1931, relating to appointments under the soldiers' preference law; providing for a record of qualification and appeals to the district court and supreme court of the state of Iowa, was taken up and considered.

The bill was read for information.

Senator Stanley moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 35:

Anderson	Calhoun	Knudson	Reese
Aschenbrenner	Chrystal	Malone	Roelofs
Baldwin	Corwin	Mason	Schmidt
Beardsley	Dewey	Meyer	Shangle
Bell of Crawford	Doze	Millhone	Shaw
Bell of	Elthon	Mullaney	Stanley
Des Moines	Goetsch	Parker	Stevens of
Berg	Grunewald	Patterson	Decatur
Billingsley	Hush	Pendray	Wilson
Byers			

Nays, none.

Absent or not voting, 15:

Donohue	Harrington	Kimberly	Nelson
Driscoll	Hopkins	McArthur	Stevens of
Fisch	Husted	Miller	Wapello
Geske	Irwin	Moore	Valentine

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stanley moved that the vote by which House File 307 passed the Senate be reconsidered, and 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 438, a bill for an act to promote the objects of the national housing act.

THIRD READING OF BILLS

Senator Calhoun was granted unanimous consent to withdraw House File 495 from the sifting committee and call it up for immediate consideration.

House File 495, a bill for an act to amend sections forty-nine hundred sixty-d seventeen (4960-d17), forty-nine hundred sixty-d twenty-five (4960-d25), forty-nine hundred sixty-d twenty-six (4960-d26), and forty-nine hundred sixty-d thirty (4960-d30), Code, 1931, and chapters seventy-seven (77) and eighty-one (81), acts of the Forty-fifth General Assembly, all relating to the expiration date of and the fee to be charged for operators' and chauffeurs' licenses, expenditure of said fee, and powers of examiners, was taken up and considered.

The bill was read for information.

Senator Calhoun moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 35:

Anderson	Chrystal	Mason	Reese
Aschenbrenner	Dewey	McArthur	Roelofs
Baldwin	Doze	Meyer	Schmidt
Beardsley	Elthon	Miller	Shangle
Bell of Crawford	Goetsch	Millhone	Shaw
Bell of	Grunewald	Mullaney	Stanley
Des Moines	Hush	Parker	Stevens of
Berg	Knudson	Patterson	Decatur
Byers	Malone	Pendray	Wilson
Calhoun			

Nays, none.

Absent or not voting, 15:

Billingsley	Fisch	Husted	Nelson
Corwin	Geske	Irwin	Stevens of
Donohue	Harrington	Kimberly	Wapello
Driscoll	Hopkins	Moore	Valentine

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

By unanimous consent granted Senator Elthon, House File 123 was withdrawn from the sifting committee and called up for consideration.

House File 123, a bill for an act to amend sections fifty-five hundred seventy-seven (5577), fifty-five hundred seventy-eight (5578) and fifty-five hundred seventy-nine (5579), Code, 1931, relating to the location, construction and joint ownership of township halls, was taken up and considered.

The bill was read for information.

Senator Shaw moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 34:

Anderson	Calhoun	Malone	Reese
Aschenbrenner	Chrystal	Mason	Roelofs
Baldwin	Dewey	McArthur	Schmidt
Bell of Crawford	Doze	Meyer	Shangle
Bell of	Elthon	Miller	Shaw
Des Moines	Goetsch	Millhone	Stanley
Berg	Grunewald	Mullaney	Stevens of
Billingsley	Hush	Patterson	Decatur
Byers	Knudson	Pendray	Wilson

Nays, none.

Absent or not voting, 16:

Beardsley	Geske	Irwin	Parker
Corwin	Harrington	Kimberly	Stevens of
Donohue	Hopkins	Moore	Wapello
Driscoll	Husted	Nelson	Valentine
Fisch			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Mullaney asked unanimous consent that House File 5 be withdrawn from the sifting committee and taken up for consideration. Objections were raised and the request was denied.

House File 454, a bill for an act to legalize corporate acts and proceedings of the Farnhamville Mutual Telephone Company of Farnhamville, Iowa, and to provide for the renewal and extension of the period of corporate existence and the adoption of renewal, amended and substituted articles of incorporation by said Farnhamville Mutual Telephone Company, was taken up and considered.

Senator Shangle offered the following amendment and moved its adoption:

Amend House File 454, section two (2), line 6, by striking the period following the word "Iowa" and adding the following words: "without expense to the state."

By unanimous consent, Senator Shangle withdrew his amendment.

The bill was read for information.

Senator Anderson moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 36:

Anderson	Calhoun	Mason	Reese
Aschenbrenner	Chrystal	McArthur	Roelofs
Baldwin	Corwin	Meyer	Shangle
Beardsley	Dewey	Miller	Shaw
Bell of Crawford	Elthon	Millhone	Stanley
Bell of	Goetsch	Moore	Stevens of
Des Moines	Grunewald	Mullaney	Decatur
Berg	Hopkins	Patterson	Valentine
Billingsley	Knudson	Pendray	Wilson
Byers	Malone		

Nays, none.

Absent or not voting, 14:

Donohue	Geske	Irwin	Schmidt
Doze	Harrington	Kimberly	Stevens of
Driscoll	Hush	Nelson	Wapello
Fisch	Husted	Parker	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 116, 119, 136, 406, 496 and 504.

JOHN N. CALHOUN, *Chairman Senate Committee.*
DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as president of the Senate, he had signed in the presence of the Senate, House Files 116, 119, 136, 406, 496 and 504.

Senator Valentine was granted unanimous consent to return to House messages.

HOUSE MESSAGES CONSIDERED

House File 438, a bill for an act to promote the objects of the National housing act by authorizing insurance companies and building and loan associations, to make loans pursuant to Titles I and II of the national housing act, and by authorizing insurance companies, building and loan associations, trustees, guardians, executors, administrators, and other fiduciaries, the state of Iowa and its political subdivisions, and institutions and agencies thereof, and all other persons, associations and corporations, subject to the laws of this state, to invest in mortgages insured, and in debentures issued by the Federal housing administration, and to invest in securities of national mortgage associations.

The bill was read first and second times and referred to the sifting committee.

On motion of Senator Valentine the Senate resolved itself into executive session.

EXECUTIVE SESSION

The Senate confirmed the following appointments:

Arthur E. Rapp, of Council Bluffs, Pottawattamie county, as a member of the state conservation commission, for the term ending July 1, 1937.

Mrs. Henry Frankel, of Des Moines, Polk county, as a member of the state conservation commission, for the term ending July 1, 1937.

W. A. Burhans, of Burlington, Des Moines county, as a member of the state conservation commission, for the term ending July 1, 1939.

Doctor F. J. Colby, of Forest City, Winnebago county, as a member of the state conservation commission, for the term ending July 1, 1939.

Doctor W. C. Boone, of Ottumwa, Wapello county, as a member of the state conservation commission, for the term ending July 1, 1941.

Doctor Joseph H. Bodine, of Iowa City, Johnson county, as a member of the board of examiners of the basic sciences, for the term ending July 4, 1937.

Doctor Charles Carter, of Fairfield, Jefferson county, as a member of the board of examiners of the basic sciences, for the term ending July 4, 1937.

Doctor Benjamin H. Peterson, of Cedar Rapids, Linn county, as a member of the board of examiners of the basic sciences, for the term ending July 4, 1939.

Doctor William L. Strunk, of Decorah, Winneshiek county, as a member of the board of examiners of the basic sciences, for the term ending July 4, 1941.

Doctor Edward Benbrook, of Ames, Story county, as a member of the board of examiners of the basic sciences, for the term ending July 4, 1941.

Doctor Robert E. O'Brien, of Sioux City, Woodbury county, as a member of the board of examiners of the basic sciences, for the term ending July 4, 1939.

C. F. Green, of Sioux City, Woodbury county, as a member of the state board of assessment and review, for the term beginning July 1, 1935, and ending June 30, 1941.

J. V. Pyle, of Chariton, Lucas county, as state fire marshal, for the term beginning July 1, 1935, and ending June 30, 1939.

Bernard E. Manley, of Mason City, Cerro Gordo county, as a member of the Iowa liquor control commission, beginning July 1, 1935, and ending June 30, 1941.

The Senate arose from executive session and resumed regular session.

REPORT OF THE CONFERENCE COMMITTEE ON SENATE FILE 406

MR. PRESIDENT AND MR. SPEAKER: We, the undersigned members of the conference committee appointed to consider the differences between the Senate and the House on Senate File 406, being a bill for an act to amend chapter eighty-two (82), acts of the Forty-fifth General Assembly in Extraordinary Session, etc., beg leave to report that we have had the same under consideration and recommend the following:

That all of said bill after the enacting clause be stricken and the following be substituted in lieu thereof:

"Sec. 1. Chapter eighty-two (82), acts of the Forty-fifth General

Assembly in Extraordinary Session, is hereby amended by striking all of paragraphs two (2) and three (3) of section sixty-one (61) thereof and inserting in lieu thereof the following:

'2. a. On July 1, 1935, and quarterly thereafter, up to and including April 1, 1937, the board shall, from the revenue collected under this act, set aside and cause to be paid into a fund to be known as the Iowa emergency relief administration fund, which fund is hereby created, the sum of one million (1,000,000) dollars quarterly, which sums are hereby appropriated for direct relief and for work relief and for expenses incidental thereto, for the purpose of caring for unemployed and needy persons within this state. The funds hereby appropriated shall be administered through the Iowa emergency relief administration and shall be withdrawn only as needed from time to time, by requisition of the Governor, and upon warrants drawn by the state comptroller payable to the Iowa emergency relief administration. With the exception of necessary administrative expenses, said fund shall be allocated by the Iowa emergency relief administration throughout the various counties of the state in accordance with the need therefor.

'b. On July 1, 1935, and semi-annually thereafter, up to and including January 1, 1937, the board shall, from the revenue collected under this act, set aside and cause to be paid into a fund to be known as the Iowa emergency conservation work fund, which fund is hereby created, the sum of one hundred twenty-five thousand (125,000) dollars semi-annually, which sums are hereby appropriated for the use of emergency conservation work in Iowa, and which shall be used only for acquisition of lands, purchase of supplies, materials and equipment, or rental thereof, or for the employment of necessary personnel in connection with the Civilian Conservation Corps program, for which expenditures the Civilian Conservation Corps does not provide. Said sum hereby appropriated shall be administered through the emergency conservation work in Iowa, and shall be withdrawn only as needed from time to time, by requisition of the Governor and upon warrants drawn by the state comptroller payable to emergency conservation work in Iowa.

'3. On July 1, 1935 and on October 1, 1935, the board shall, from the revenue collected under this act, set aside and cause to be paid into the general fund of the state a sum not to exceed one million five hundred thousand (1,500,000) dollars on each date, which sums shall be used together with other revenues expendable for such purposes, to pay all items of general expense of the state government for that part of the calendar year commencing July 1, 1935 and extending through December 31, 1935, as authorized and appropriated for by the General Assembly.'

"Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication as provided by law in the Sigourney Review, a newspaper published at Sigourney, Iowa, and in the Kossuth County Advance, a newspaper published at Algona, Iowa."

That the title be stricken and the following substituted in lieu thereof:
"An act to amend chapter eighty-two (82), acts of the Forty-fifth General Assembly in Extraordinary Session, to provide and appropriate

funds for the Iowa emergency relief administration and for emergency conservation work in Iowa and to revise the allocation of revenues for general state purposes."

A. H. BONNSTETTER.

PAUL FREEBURN.

C. L. RICE.

PAUL CUNNINGHAM.

On the part of the House.

JOHN K. VALENTINE.

I. G. CHRYSAL.

G. E. ROELOFS.

FRANK M. STEVENS.

On the part of the Senate.

REPORT OF SECOND CONFERENCE COMMITTEE ON SENATE FILE 320

MR. PRESIDENT AND MR. SPEAKER: We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House on Senate File 320, being a bill for an act to amend chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, relating to the sale and distribution of beer by certain class "B" permittees, providing for the issuance of such permits, etc., beg leave to report that we have had the same under consideration and recommend that the House recede from its amendments and that the bill, as passed by the Senate, be amended by striking all after the enacting clause and substituting in lieu thereof the following (which is Senate File 320 with certain of the House amendments incorporated):

"Section 1. Chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, is amended by striking out subsection 'B' of section six (6) of said act, and inserting in lieu thereof the following:

'b. "Permit board" shall mean that the state permit board composed of the treasurer of state, the secretary of state, and the auditor of state, of the state of Iowa.'

Said chapter twenty-five (25) is further amended by striking out subsection 'E' of section six (6) of said act, and inserting in lieu thereof the following:

'e. The term "good moral character" shall not be construed to include the following: Any person, firm, or corporation who, preceding the making of an application for any permit under the provisions of this act, has been found guilty of violating any of the provisions of the beer act or any of the intoxicating liquor laws of the state or who has been convicted of a felony or an indictable misdemeanor.'

"Sec. 2. Further amend said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, by adding at the end of section seven (7), of said chapter a new paragraph which shall be as follows:

'In order to promote uniform compliance with the provisions of this act there is hereby created a state permit board to be composed of the treasurer of state, who shall be the chairman thereof, the secretary of state, and the auditor of state, which board shall issue state permits and shall have the power to revoke the same upon hearing as provided

in this act and to review actions of the city or town councils, including cities under special charter, and boards of supervisors, in refusing to revoke permits, as hereinafter provided. The permit board shall serve without additional compensation. The permit board shall meet on the first Monday in each month for a regular meeting, and upon call at any time. The majority of its members shall constitute a quorum but no final action shall be taken in the revocation of a permit without a majority vote. In the event it should be impossible for any of the officials designated as members of this board to be present at any meeting of the board, such official may designate a deputy or assistant in his department to attend such meeting or meetings and act for him and in his stead but at no meeting shall any final decision of the board be made unless at least two (2) members thereof are present in person."

"Sec. 3. Section eight (8) of said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, is amended as follows:

1. Insert immediately preceding the word "and" in line 11 the words "and to clubs as defined in section nineteen (19)."

2. Add at the end of said section eight (8) the following:

'Each applicant applying for a class "B" or "C" permit, shall, in addition to procuring a permit from a city or town council, or board of supervisors, as provided in this act, obtain a state permit from the state permit board upon application made to the board and upon payment of a fee of three (3) dollars. Such fees collected shall be placed in a special fund by the treasurer of state to be used by the state permit board for the purpose of enforcing the provisions of this act.

'Upon the issuance of a permit by a city or town council, or board of supervisors, such council or board shall forthwith certify to the state permit board the action so taken. The state permit board shall promptly issue a state permit to all applicants to whom a permit has been issued by a city or town council or by a board of supervisors, which shall expire at the same time as the permit issued by said council or board, and shall forthwith certify to such council or board as to the issuance of each permit.

'Upon the revoking of a permit by any city or town council or board of supervisors, such council or board shall forthwith certify to the state permit board the action so taken, and thereupon the state permit board shall immediately cancel its permit to such permit holder, and such action of the state permit board and other granting authority shall be final.'

"Sec. 4. Section twelve (12) of said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, is amended as follows:

Strike all after the comma in line 18 of said section, and strike lines 19, 20, 21, 22 and 23, and insert in lieu thereof the following: 'and is located within a business district or an area now or hereafter zoned as a business district.'

"Sec. 5. Section sixteen (16) of said chapter twenty-five (25), acts

of the Forty-fifth General Assembly in Extraordinary Session, as amended, is amended by adding at the end of said section the following: 'and that no sale or delivery shall be made from twelve o'clock midnight until seven o'clock a. m. and no sale or delivery on Sunday.'

"Sec. 6. Chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, is amended by striking section thirty-four (34) of said chapter and inserting in lieu thereof the following:

"Sec. 34. It is expressly provided, any provision of this chapter to the contrary notwithstanding, that cities and towns, including cities under special charter, and boards of supervisors, shall have the power and authority to revoke any permit issued under their authority for a violation of any of the provisions of this act, or any ordinance adopted by a city or town under the provisions hereof, or any rule or regulation adopted by a board of supervisors, or for any cause which, in the judgment of the governing body, may be inimical to or prevent the carrying out of the intent and purposes of this act. Any permit revoked as in this act provided shall not be renewed or a new permit shall not be granted to the same person for a period of one (1) year from the date of revocation; further, the governing body may refuse to issue a permit effective on the same premises to any other person for a period of one (1) year from the date of revocation. Cities and towns, including cities under special charter, are hereby empowered to adopt ordinances for the enforcement of chapter twenty-five (25) of the acts of the Forty-fifth General Assembly in Extraordinary Session, as amended by this act, and are further empowered to adopt ordinances providing for the limitation of class 'B' permits, as follows:

"One class 'B' permit shall be issued upon application meeting the requirements of this act for each five hundred (500) population, or fractional part thereof, up to twenty-five hundred (2500), and for each seven hundred fifty (750) population or fractional part thereof, over and above twenty-five hundred (2500), one additional permit may be issued, provided, however, that in towns having a population of one thousand (1,000) or less, two (2) permits shall be issued if proper application is made therefor in accordance with the requirements of the provisions of this act; subject to the express provisions of section twenty-three (23) of chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, for the fixing of the hours during which beer may be sold and consumed in the places of business of class 'B' permittees, and further providing that, subject to the express provisions of said section twenty-three (23), no sale or consumption of beer shall be allowed on the premises of a class 'B' permittee, as above provided, between the hours of 1:00 a. m. and 6:00 a. m.; and for the location of the premises of class 'B' permittees; and for the prohibiting or regulation of dancing in places where beer is sold; and are empowered to adopt ordinances, not in conflict with the provisions of chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session as amended by this act, governing any other activities or matters which may affect the sale and

distribution of beer under class 'B' permits and the welfare and morals of the community involved."

"Sec. 7. Further amend said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, by inserting after the comma following the word 'bootlegging' in line 3 in section thirty-one (31) thereof the following: 'or who is guilty of the sale or dispensing of wines or spirits in violation of the law, or who shall allow the mixing or adding of alcohol to beer or any other beverage on the premises of the permittee, or who shall be guilty of the violation of this chapter as amended, or of any ordinances enacted by any city or town as provided for in this act.'

"Sec. 7-a. No liquor for beverage purposes having an alcoholic content greater than four (4) per cent by weight, shall be used, or kept for any purpose in the permit holder's place of business, or on the premises of such permit holder, at any time. A violation of any provision of this section shall be grounds for revocation of the permit."

"Sec. 8. Further amend said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, by striking from section twenty-five (25) of said chapter all of line 7 after the period following the word 'dollars' in said line, and by striking all of line 8, and by striking all that part of line 9 to and including the period, and inserting in lieu thereof the following: 'The annual permit fee for a class "B" permit, except class "B" permits issued to hotels and clubs as contemplated in chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, and golf or country clubs, shall be fixed by the authorities empowered by this act to issue permits, but the amount of said permit fee shall not be less than one hundred (100) dollars, nor more than three hundred (300) dollars.'

"Sec. 9. Further amend said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, by adding a new section as follows: 'All class "B" permits, except permits issued to golf or country clubs under the provisions of chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, shall terminate as of July 1, 1935. The authorities empowered by this act to issue permits shall refund the permit holder an amount proportionate to the unexpired term of the permit, except in cases where the county has received one-half ($\frac{1}{2}$) of the permit fee and in such cases the county shall refund one-half ($\frac{1}{2}$) of the said proportionate amount and the granting authority the other one-half ($\frac{1}{2}$). All class "B" permits, except class "B" permits issued to golf or country clubs, shall expire on July first after the date of issuance.'

"Sec. 10. Further amend said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, by striking lines 4 to 11 inclusive, of section thirty-three (33) thereof, being subdivision 'a', and substituting therefor the following:

'a. All permit fees collected under the provisions of this act by any municipality shall be retained by such municipality and allocated to its general fund.'

"Sec. 11. Further amend said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, by adding a new section as follows:

'Minors and females are prohibited from serving beer in the place of business of any permit holder in which the business of selling beer constitutes more than fifty (50) per cent of the gross business transacted therein.'

"Sec. 12. Further amend said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, by adding a new section as follows:

'The state permit board may review the action of any city or town council, including special charter cities, and boards of supervisors, in any case where a hearing has been had relative to the cancellation or revocation of a permit and it appears from the records of the hearing held by said city or town council or board of supervisors, that the permit has not been revoked or cancelled, and it appears from an investigation made by the state permit board that there is reasonable ground to believe that such permit holder has been guilty of violation of the provisions of this act, and upon such hearing the permit board shall make a finding, after hearing the facts with reference to the grounds for the revocation of such permit, and by a majority vote shall determine whether or not such permit shall be revoked and make an order accordingly, and said finding shall be final.

'If the state permit board finds from investigation that a review of the action of any city or town council, including special charter cities and boards of supervisors, should be had, or that such governing bodies have failed to take action, the state permit board shall thereupon fix a date for the hearing thereof and shall notify the permit holder of such hearing by registered mail of the date fixed for hearing and the date set for the hearing shall be not less than seven (7) days from the mailing of the notice. Such notice shall be mailed to the permittee at the post office address where his place of business is conducted under his permit. All such hearings shall be held at the seat of government of the state of Iowa, at Des Moines, Iowa.

In the preparation and conduct of the hearing the board shall have power to require by subpoena the testimony of witnesses and the production of papers or documents and any member of the board may sign subpoenas, administer oaths and affirmations, examine witnesses, and receive evidence. The fees and mileage of such witnesses shall be the same as prescribed by law in the trial of civil cases and the permittee in all such hearings shall have the opportunity to be heard in person and by counsel. All parties to any hearing before the board shall have the right to the attendance of witnesses at such hearings upon making request therefor to the board and designating the person or persons sought to be subpoenaed. In case of disobedience to a subpoena the board may invoke the aid of any court of competent jurisdiction in requiring the attendance and testimony of witnesses and the production of papers or documents and such court may issue an order requiring the persons

to appear before the board and give evidence or to produce papers as the case may be, and any failure to obey such orders of the court may be punished by the court for contempt thereof. Testimony may be taken by deposition as in civil cases and any person may be compelled to appear and testify as in civil actions in the courts of this state. Any person who shall neglect and refuse to attend and testify or answer any lawful question or produce documentary evidence if it is in his power to do so, in obedience to a subpoena or lawful requirement by such board, shall be guilty of a misdemeanor and upon conviction thereof by a court of competent jurisdiction shall be punished in accordance with the provisions of section twelve thousand eight hundred ninety-four (12894), Code of Iowa, 1931.

Like hearings may also be had in cases where a verified petition signed by at least ten (10) tax payers has first been presented to the city or town council, including special charter cities or the boards of supervisors, as the case may be, or where the state permit board from its investigation asks that a hearing be had on the revocation of a permit, and in the event the city or town council, including special charter cities and boards of supervisors, neglects or refuses to have such hearing, the matter may be presented to the state permit board upon such verified petition in writing, signed by at least ten (10) tax payers of the jurisdiction for which the permit was granted, or the state permit board may upon its own motion conduct such hearing, and the same procedure as in this section provided shall apply with reference to notice of hearing, witnesses, testimony and contempt proceedings for failure to appear, and the board shall make a finding in such cases, which finding shall be binding on the permit holder and also on the city or town councils, including special charter cities or boards of supervisors, as the case may be.

"Sec. 13. Further amend said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, by inserting after the word 'contain' in line 3 of section thirty-six (36) of said chapter twenty-five (25) the following: 'less than one-half ($\frac{1}{2}$) of one (1) per centum of alcohol by weight nor'; and by striking the period at the end of said section thirty-six (36) and inserting a comma in lieu thereof and by adding after the comma the following: 'and it shall be unlawful to sell or offer for sale in the state of Iowa any beer, the alcoholic content of which does not comply with the label requirements as prescribed in this section.'

"Sec. 14. Further amend said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, by adding a new section as follows: 'Subject to the express provisions of section twenty-three (23) of chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, no beer shall be sold or consumed in the places of business of class "B" permittees located outside of a city or town between the hours of 1:00 a. m., and 6:00 a. m., except clubs as contemplated in section nineteen (19) of said chapter twenty-five (25). Boards of supervisors are authorized

and empowered, subject to the above, to fix opening and closing hours and are further authorized and empowered to adopt rules and regulations for the prohibiting or regulation of dancing in places where beer is sold; and are empowered to adopt rules and regulations, not in conflict with the provisions of chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended by this act, governing any other activities or matters which may affect the sale and distribution of beer under class "B" permits and the welfare and morals of the community involved.'

"Sec. 15. Further amend said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, by adding a new section as follows: 'No person, firm or corporation shall bottle beer within the state of Iowa, except class "A" permittees who have complete equipment for bottling beer and who have received the approval of the local board of health as to sanitation, and it shall be the duty of local boards of health to inspect the premises and equipment of class "A" permittees who desire to bottle beer.'

"Sec. 16. This act being deemed of immediate importance shall be in full force and effect after its passage and publication in the Dyersville Commercial, a newspaper published at Dyersville, Iowa, and in the Daily Tribune, a newspaper published at Dubuque, Iowa."

Further amend Senate File 320 by striking all of the title and substituting in lieu thereof the following:

"An act to amend chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, relating to the manufacture, sale and distribution of beer, creating a state permit board and defining its powers and duties; providing for the issuance and revocation of permits; authorizing boards of supervisors to adopt rules and regulations and cities and towns to pass ordinances governing the sale and distribution of beer; providing for hearings by the state permit board; and fixing the hours during which beer may be sold, delivered, or consumed."

T. F. DRISCOLL.

E. P. CORWIN.

V. F. HARRINGTON.

MORRIS MOORE.

On the part of the Senate.

J. P. GALLAGHER.

ARCH W. MCFARLANE.

THOMAS STIMPSON.

FRANK T. MCGILL.

On the part of the House.

SECOND CONFERENCE COMMITTEE REPORT ON SUBSTITUTE FOR HOUSE FILE 214

MR. PRESIDENT AND SPEAKER: Your second joint committee appointed to confer in regard to substitute for House File 214 begs leave to report that this committee has conferred and that it has agreed and recommends the following:

Strike all after the enacting clause and insert the following:

"Section 1. That the amount derived from delinquent state taxes, other than from the bonus levy, during the fiscal years beginning July 1, 1935,

and July 1, 1936, and ending June 30, 1936, and June 30, 1937, respectively, and all revenue from other sources, which is available for appropriations for state purposes, and all other money in the state treasury which is not by law segregated, shall be established as a general fund, and so much thereof as may be necessary, shall be, and the same is hereby appropriated for the biennium beginning July 1, 1935, and ending June 30, 1937, in the following manner and for the following uses, to-wit:

DEPARTMENT OF AGRICULTURE

"Sec. 2. For the department of agriculture there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of three hundred fourteen thousand one hundred forty-nine (314,149) dollars or so much thereof as may be necessary, to be used in the following manner:

Agriculture Department

(See page 1 of Budget Report)

For salary of secretary of agriculture.....	\$ 5,000.00
For salaries, support, maintenance and miscellaneous purposes	116,215.00
	<hr/>
Total agricultural department.....	\$121,215.00

(1) Animal Health and Veterinary

(See page 2 of Budget Report)

For the control and eradication of contagious and infectious livestock diseases, T. B. inspectors, fifteen hundred (1,500) dollars to two thousand four hundred (2,400) dollars annually, and necessary traveling expenses; assistant state veterinarians (per diem and expenses), indemnities and miscellaneous.....	\$137,500.00
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(2) Iowa Beef Producers' Association

(See page 3 of Budget Report)

State aid	\$ 5,000.00
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(3) Corn and Small Grain Growers Association

(See page 3 of Budget Report)

State aid	\$ 2,500.00
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(4) Dairy Association

(See page 3 of Budget Report)

State aid	\$ 5,000.00
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(To be expended in accordance with the provisions of chapter one hundred thirty-seven (137), Code of 1931)

(5) Horticultural Society

(See page 5 of Budget Report)

State aid	\$ 5,000.00
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(6) Poultry Association, Short Courses, County
Achievement Shows
(See page 4 of Budget Report)

State aid\$ 17,500.00

(7) Board of Veterinary Examiners
(See page 2 of Budget Report)

Per diem and expenses of board members.....\$ 400.00

(8) Iowa Horse Breeders' Association
(See page 5 of Budget Report)

State aid\$ 5,000.00

(9) Weather and Crops Bureau
(See page 6 of Budget Report)

For salaries, support, maintenance and miscellaneous
purposes\$ 7,634.00

(10) State Entomologist
(See page 4 of Budget Report)

For salaries, support, maintenance and miscellaneous
purposes\$ 7,400.00

Grand total of all appropriations for all purposes for each
year of the biennium for the department of agriculture..\$314,149.00

BOARD OF ASSESSMENT AND REVIEW

(See page 8 of Budget Report)

"Sec. 3. For the board of assessment and review there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of sixty-four thousand five hundred forty-three (64,543) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries: (a)

Chairman\$ 4,000.00

Vice chairman 4,000.00

Member 4,000.00

For salaries, support, maintenance and miscellaneous
purposes: (b) 52,543.00

Grand total of all appropriations for all purposes for each
year of the biennium for the board of assessment and
review\$ 64,543.00

AUDITOR OF STATE

(See page 9 of Budget Report)

"Sec. 4. For the office of auditor of state there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of ninety thousand (90,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of auditor of state.....	\$ 5,000.00
For salaries and miscellaneous purposes.....	85,000.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of auditor of state	\$ 90,000.00
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COMMISSION FOR THE BLIND

(See page 11 of Budget Report)

"Sec. 5. For the commission for the blind there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of ten thousand (10,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of secretary.....	\$ 2,370.00
For salaries, support, maintenance and miscellaneous purposes	7,630.00

Grand total of all appropriations for all purposes for each year of the biennium for the commission for the blind....	\$ 10,000.00
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STATE COMPTROLLER

(See page 12 of Budget Report)

"Sec. 6. For the department of the state comptroller there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of forty thousand three hundred sixty-four (40,364) dollars and eighty (80) cents or so much thereof as may be necessary, to be used in the following manner:

For salary of state comptroller.....	\$ 4,500.00
For salaries and miscellaneous purposes.....	35,864.80

Grand total of all appropriations for all purposes for each year of the biennium for the department of state comptroller	\$ 40,364.80
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BOARD OF CONSERVATION

(See page 14 of Budget Report)

"Sec. 7. For the board of conservation there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June

30, 1937, the sum of one hundred ten thousand (110,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For miscellaneous purposes:

For maintenance of state parks, purchase of land and general improvements, and for the construction, maintenance and improvement of roads and highways in said parks and for other general conservation purposes.....\$110,000.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of conservation.....\$110,000.00

BOARD OF CONTROL

(See page 14 of the Budget Report)

"Sec. 8. For the board of control there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of seventy-two thousand four hundred sixty-six (72,466) dollars or so much thereof as may be necessary, to be used in the following manner:

General Office and Child Welfare Division

For salaries of members of the board:
 (2 at \$3,850.00 each).....\$ 7,700.00
 (1 at \$3,600.00) member newly elected and confirmed
 by Forty-sixth General Assembly..... 3,600.00
 For salaries, support, maintenance and miscellaneous purposes 61,166.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of control.....\$ 72,466.00

CUSTODIAN

(See page 15 of Budget Report)

"Sec. 9. For the department of the custodian there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of seventy-five thousand eight hundred ten (75,810) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of custodian.....\$ 2,000.00
 For salaries, support and maintenance and miscellaneous purposes 73,810.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the custodian\$ 75,810.00

JUDGES OF THE DISTRICT COURT
(See page 16 of Budget Report)

"Sec. 10. For the department of the district court judges there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of three hundred seventy-two thousand five hundred (372,500) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries of judges of the district court of Iowa (70 judges)	\$350,000.00
For miscellaneous purposes:	
Traveling expenses of judges and court reporters in and out of districts	22,500.00
Grand total of all appropriations for all purposes for each year of the biennium for the department of district court judges	
	\$372,500.00

BOARD OF EDUCATION
(See page 16 of Budget Report)

"Sec. 11. For the department of the board of education there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of fifty-four thousand seven hundred twelve (54,712) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries:	
Chairman, finance committee	\$ 2,900.00
Member, finance committee.....	2,900.00
Secretary, finance committee.....	3,300.00
For salaries, support, maintenance and miscellaneous purposes	45,612.00
Board members to receive a per diem of ten (10) dollars per day and shall not exceed six hundred (600) dollars per year per member.	
Grand total of all appropriations for all purposes for each year of the biennium for the board of education.....	
	\$ 54,712.00

EXECUTIVE COUNCIL
(See page 17 of Budget Report)

"Sec. 12. For the department of the executive council there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of two hundred fifty thousand two hundred thirty-five (250,235) dollars or so much thereof as may be necessary, to be used in the following manner:

General Office	
For salaries, support, maintenance and miscellaneous purposes	\$250,235.00

STATE FAIR BOARD

(See page 19 of Budget Report)

"Sec. 13. For the department of the state fair board there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of sixty thousand (60,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For maintenance and operating expense of fair.....	\$ 50,000.00
For premiums	10,000.00

Grand total of all appropriations for all purposes for
each year of the biennium for the state fair board.....\$ 60,000.00

AGRICULTURAL SOCIETIES

(See page 20 of Budget Report)

"Sec. 14. For the agricultural societies there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of one hundred twenty thousand (120,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For miscellaneous purposes:

State aid to county fairs.....	\$120,000.00
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The foregoing appropriation for state aid to county fairs shall be deemed conditioned on full compliance with all other statutes which regulate and prescribe the conditions under which such aid is payable.

FIRE MARSHAL

(See page 20 of Budget Report)

"Sec. 15. For the department of the state fire marshal there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of seventeen thousand (17,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of state fire marshal.....	\$ 2,628.00
For support, maintenance, salaries and miscellaneous purposes	14,372.00

Grand total of all appropriations for all purposes for each
year of the biennium for the department of the state fire
marshal\$ 17,000.00

GEOLOGICAL SURVEY

(See page 21 of Budget Report)

"Sec. 16. For the department of the geological survey there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of ten thousand (10,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes	\$ 10,000.00
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Grand total of all appropriations for all purposes for each year of the biennium for the department of the geological survey\$ 10,000.00

GOVERNOR

(See page 21 of Budget Report)

"Sec. 17. For the department of the Governor there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of twenty thousand four hundred six (20,406) dollars or so much thereof as may be necessary, to be used in the following manner:

For the salary of Governor of the state of Iowa.....\$ 7,500.00
For salaries, support and miscellaneous purposes..... 12,906.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of Governor \$ 20,406.00

GRAND ARMY OF THE REPUBLIC

(Set page 22 of Budget Report)

"Sec. 18. For the department of the grand army of the republic there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of seven hundred fifty (750) dollars or so much thereof as may be necessary, to be used in the following manner:

Headquarters expenses\$ 750.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the grand army of the republic.....\$ 750.00

DEPARTMENT OF HEALTH

(See page 22 of Budget Report)

"Sec. 19. For the department of health there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of seventy-six thousand eight hundred eighty (76,880) dollars or so much thereof as may be necessary, to be used in the following manner:

General Office

For salary of commissioner of the department of health....\$ 4,500.00
For salaries, support, maintenance and miscellaneous purposes 40,660.00

Total general office.....\$ 45,160.00

Maternity and Child Hygiene

For salaries, support, maintenance and miscellaneous purposes\$ 8,500.00

Inspector—Department of Health

For salaries, support, maintenance and miscellaneous purposes\$ 3,940.00

Sanitary Engineering and Housing Division

For salaries, support, maintenance and miscellaneous purposes\$ 19,280.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of health.....\$ 76,880.00

(1) Board of Barbers Examiners

For the board of barbers examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of fifteen thousand five hundred twenty (15,520) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries, support maintenance and miscellaneous purposes\$ 15,520.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of barbers examiners..\$ 15,520.00

(2) Board of Chiropractic Examiners

For the board of chiropractic examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of sixteen hundred eighty (1,680) dollars or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes\$ 1,680.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of chiropractic examiners\$ 1,680.00

(3) Board of Cosmetology Examiners

For the board of cosmetology examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of twelve thousand forty (12,040) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes\$ 12,040.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of cosmetology examiners\$ 12,040.00

(4) Board of Dental Examiners

For the board of dental examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of two thousand four hundred (2,400) dollars or so much thereof as may be necessary, to be used in the following manner:

For per diem: (a)	
Board members	\$ 1,800.00
Other expenses: (b)	
Traveling	600.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of dental examiners..\$ 2,400.00

(5) Board of Embalmers Examiners

For the board of embalmers examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of nine hundred seventy (970) dollars or so much thereof as may be necessary, to be used in the following manner:

For per diem: (a)	
Board members	\$ 470.00
Other expenses: (b)	
Traveling	500.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of embalmers examiners\$ 970.00

(6) Board of Medical Examiners

For the board of medical examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of one thousand (1,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For per diem: (a)	
Board members	\$ 650.00
Other expenses: (b)	
Traveling	350.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of medical examiners\$ 1,000.00

(7) Board of Nurses Examiners

For the board of nurses examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of five thousand four hundred (5,400) dollars or so much thereof as may be necessary, to be used in the following manner:

For per diem: (a)	
Board members	\$ 1,500.00
Other expenses: (b)	
For salaries, support, and miscellaneous purposes.....	3,900.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of nurses examiners..\$ 5,400.00

(8) Board of Optometry Examiners

For the board of optometry examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of seven hundred fifty (750) dollars or so much thereof as may be necessary, to be used in the following manner:

For per diem: (a)	
Board members	\$ 500.00
Other expenses: (b)	
Traveling	250.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of optometry examiners	750.00
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(9) Board of Osteopathic Examiners

For the board of osteopathic examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of one thousand five hundred sixty (1,560) dollars or so much thereof as may be necessary, to be used in the following manner:

For per diem: (a)	
Board members	\$ 280.00
Other expenses: (b)	
Traveling	200.00
Secretary	1,080.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of osteopathic examiners	\$ 1,560.00
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(10) Board of Podiatry Examiners

For the board of podiatry examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of three hundred ninety-five (395) dollars or so much thereof as may be necessary, to be used in the following manner:

For per diem: (a)	
Board members	\$ 320.00
Other expenses: (b)	
Traveling	75.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of podiatry examiners	\$ 395.00
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(11) Board of Pharmacy Examiners

(See page 39 of Budget Report)

For the board of pharmacy examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June

30, 1937, the sum of fourteen thousand four hundred (14,400) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and miscellaneous pur-

HISTORICAL DEPARTMENT

(See page 28 of Budget Report)

poses\$ 14,400.00

"Sec. 20. For the historical department there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of twenty-nine thousand three hundred (29,300) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of curator, historical department.....\$ 2,400.00

For miscellaneous, salaries, support and maintenance of the following divisions: general, archives, library, museum, annals of Iowa, Iowa in war and newspaper.....\$ 26,900.00

Grand total of all appropriations for all purposes for each year of the biennium for the historical department.....\$ 29,300.00

HISTORICAL SOCIETY

(See page 29 of Budget Report)

"Sec. 21. For the historical society there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of twenty-eight thousand (28,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes\$ 28,000.00

Grand total of all appropriations for all purposes for each year of the biennium for the historical society.....\$ 28,000.00

INDUSTRIAL COMMISSION

(See page 30 of Budget Report)

"Sec. 22. For the department of the industrial commission there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of twenty-five thousand nine hundred (25,900) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of the industrial commissioner.....\$ 3,000.00

For salaries, support, maintenance, compensation and miscellaneous purposes 22,900.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the industrial commission\$ 25,900.00

DEPARTMENT OF INSURANCE
(See page 31 of Budget Report)

"Sec. 23. For the department of insurance there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of forty-four thousand one hundred twenty-five (44,125) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of the commissioner of insurance.....	\$ 4,000.00
For salaries, support, maintenance and miscellaneous purposes	40,125.00

Grand total of all appropriations for all purposes for each
year of the biennium for the department of insurance...\$ 44,125.00

DEPARTMENT OF JUSTICE
(See page 32 of Budget Report)

"Sec. 24. For the department of justice there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of ninety-three thousand five hundred (93,500) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of the attorney general.....	\$ 6,000.00
For salaries, support, maintenance and miscellaneous purposes	87,500.00

Grand total of all appropriations for all purposes for each
year of the biennium for the department of justice.....\$ 93,500.00

BUREAU OF LABOR
(See page 33 of Budget Report)

"Sec. 25. For the department of the bureau of labor there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of eighteen thousand two hundred forty (18,240) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of the commissioner of labor.....	\$ 3,000.00
For salaries, support, maintenance and miscellaneous purposes	15,240.00

Grand total of all appropriations for all purposes for each
year of the biennium for the department of the bureau
of labor\$ 18,240.00

LIBRARY COMMISSION
(See page 33 of Budget Report)

"Sec. 26. For the department of the library commission there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of nineteen thousand five hundred (19,500)

dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of the secretary.....	\$ 2,112.00
For salaries, support, maintenance and miscellaneous purposes	17,388.00
<hr/>	
Grand total of all appropriations for all purposes for each year of the biennium for the department of the library commission	\$ 19,500.00

STATE LIBRARY

(See page 34 of Budget Report)

"Sec. 27. For the department of the state library there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of forty-one thousand nine hundred sixteen (41,916) dollars or so much thereof as may be necessary, to be used in the following manner:

General Division

For salary of state librarian.....	\$ 2,400.00
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Law Division

For salary of law librarian.....	\$ 2,400.00
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Medical Division

For salary of medical librarian.....	\$ 2,000.00
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Economics and Sociology Division

For salary of librarian.....	\$ 1,500.00
For salaries, support, maintenance and miscellaneous purposes for all divisions to be expended under the supervision of the state librarian.....	\$ 33,616.00
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Grand total of all appropriations for all purposes for each year of the biennium for the department of the state library	\$ 41,916.00
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BOARD OF MINE EXAMINERS

(See page 35 of Budget Report)

"Sec. 28. For the department of the board of mine examiners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of fifteen hundred (1500) dollars or so much thereof as may be necessary, to be used in the following manner:

Per diem and expenses	\$ 1,500.00
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Grand total of all appropriations for all purposes for each year of the biennium for the department of the board of mine examiners	\$ 1,500.00
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MINE INSPECTORS

(See page 36 of Budget Report)

"Sec. 29. For the department of mine inspectors there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of sixteen thousand five hundred (16,500) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes provided that \$4,000 be allocated to the Iowa coal institute	\$ 16,500.00
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Grand total of all appropriations for all purposes for each year of the biennium for the department of mine inspectors	\$ 16,500.00
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THE NATIONAL GUARD

(See page 36 of Budget Report)

"Sec. 30. For the department of the national guard there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of two hundred twelve thousand six hundred fifty (212,650.00) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries of adjutant general.....	\$ 3,000.00
For salaries, support, graves registration, military property audit, aeronautics commission, maintenance and miscellaneous purposes	209,650.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the national guard	\$212,650.00
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BOARD OF PAROLE

(See page 39 of Budget Report)

"Sec. 31. For the department of the board of parole there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of twenty-seven thousand nine hundred ten (27,910) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries of board members, 2 @ \$2,790.00 each.....	\$ 5,580.00
For salary of legal members, 1 @ \$3,000.00.....	3,000.00
For salaries, support, maintenance and miscellaneous purposes	19,330.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the board of parole	\$ 27,910.00
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STATE PRINTING BOARD
(See page 41 of Budget Report)

"Sec. 32. For the department of the state printing board there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of fourteen thousand six hundred twenty (14,620) dollars or so much thereof as may be necessary, to be used in the following manner:

General Office

For salary of superintendent of printing.....	\$ 3,120.00
For salaries, support, maintenance and miscellaneous purposes	11,500.00
	14,620.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the state printing board office\$ 14,620.00

STATE PRINTING BOARD
(See page 41 of Budget Report)

"Sec. 33. For the department of the state printing board there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of one hundred twenty-nine thousand one hundred fifty (129,150) dollars or so much thereof as may be necessary, to be used in the following manner:

State Purposes

For the necessary printing and binding authorized by law for the General Assembly and for all state departments that have not been provided for in departmental appropriations	\$129,150.00
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This section is not to be construed or interpreted to include the expense of any printing for any of the following departments, bureaus, boards, or associations: state teachers' association, animal health and veterinary division of agricultural department for elimination of bovine tuberculosis, Iowa beef producers' association, Iowa corn and small grain growers' association, farmers' institutes, Iowa state dairy association, Iowa state poultry breeders' association, short courses, board of conservation, state entomologist, state fair board, agricultural societies, Iowa department of the grand army of the republic, horse breeders' associations, state library and all divisions thereof, psychopathic hospital, indigent hospital, state highway commission, receivership division of the banking department, board of engineering examiners, fish and game department, motor vehicle department, motor vehicle fuel tax division, institutions under the board of control, institutions under the board of education, and the state board of vocational education, board of educational examiners, industrial survey, motor carrier department, truck operator department, and any and every agency, activity and undertaking that has a fund for general support. Providing that funds appropriated by this section, in the discretion of the printing board, may be used in supplying paper stock, multi-

graph or mimeograph work for any of the foregoing departments, bureaus, associations and institutions, any sum so used for supplying multi-graph or mimeograph work to be refunded to the printing board and returned to the credit of the appropriation made for printing board general office expense; any sum so used for supplying paper stock to be refunded to the printing board and returned to the credit of the appropriation made by this section. These payments shall be made to the printing board in the same manner as other claims against such departments are paid, and the printing board shall remit the proceeds to the comptroller of state on the first secular day of each calendar month, taking the comptroller's receipt therefor, showing the same properly credited to the respective appropriations.

SUPERINTENDENT OF PUBLIC INSTRUCTION
(See page 41 of Budget Report)

"Sec. 34. For the department of the superintendent of public instruction there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of thirty-nine thousand four hundred thirty-four (39,434) dollars or so much thereof as may be necessary, to be used in the following manner:

General Office

For salary of superintendent of public instruction.....	\$ 4,500.00
For salaries, support, maintenance and miscellaneous purposes	34,934.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the superintendent of public instruction, office.....\$ 39,434.00

SUPERINTENDENT OF PUBLIC INSTRUCTION
(See page 42 of Budget Report)

"Sec. 35. For the department of the superintendent of public instruction there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of four hundred one thousand four hundred fifty (401,450) dollars or so much thereof as may be necessary, to be used in the following manner:

State Aid to Public Schools

For state aid to public schools:

Normal training schools	\$100,000.00
Consolidated	125,000.00
Standard schools (for use of rural schools only).....	90,000.00
Normal institutes	4,450.00
Mining camp schools	45,000.00
Mining camp schools emergencies.....	27,000.00
Handicapped children	10,000.00

The superintendent of public instruction shall apportion the appropriations for state aid to schools in mining camp districts and certify

to the state comptroller the amounts so allotted to these school corporations. Whereupon the state comptroller shall draw a warrant on the treasurer of state payable to each school corporation for the amount certified by the superintendent of public instruction and forward the same to the secretary of the school corporation.

Grand total of all appropriations for all purposes for each year of the biennium for the department of the superintendent of public instruction for state aid to public schools	\$401,450.00
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RELIEF

"Sec. 36. For relief there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of five hundred sixty (560) dollars or so much thereof as may be necessary, to be used in the following manner:

For relief purposes:

Relief of Frederick M. Hull.....	\$ 360.00
Relief of Marjorie Ball.....	200.00

Grand total of all appropriations for all purposes for each year of the biennium, for relief	\$ 560.00
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BOARD OF RAILROAD COMMISSIONERS

(See page 42 of Budget Report)

"Sec. 37. For the department of the board of railroad commissioners there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of sixty thousand six hundred (60,600) dollars or so much thereof as may be necessary, to be used in the following manner:

Railroad Commission Office

For salaries of commissioners, 3 at \$3,800 each.....	\$ 11,400.00
For salaries, support, maintenance and miscellaneous purposes	49,200.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the railroad commission	\$ 60,600.00
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SECRETARY OF STATE

(See page 44 of Budget Report)

"Sec. 38. For the department of secretary of state there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of forty-eight thousand seven hundred (48,700) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of secretary of state.....	\$ 5,000.00
For salaries, support, maintenance and miscellaneous purposes for all divisions.....	43,700.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the secretary of state.....\$ 48,700.00

CLERK OF THE SUPREME COURT
(See page 45 of Budget Report)

"Sec. 39. For the department of the clerk of the supreme court there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of nine thousand ninety (9,090) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of clerk of the supreme court.....	\$ 3,127.60
For salaries, support, maintenance and miscellaneous purposes	5,962.40

Grand total of all appropriations for all purposes for each year of the biennium for the department of the clerk of the supreme court\$ 9,090.00

SUPREME COURT
(See page 45 of Budget Report)

"Sec. 40. For the department of the supreme court there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of eighty-three thousand four hundred (83,400) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries of judges (9 at \$7,500 each).....	\$ 67,500.00
For salaries, support, maintenance and miscellaneous purposes	15,900.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the supreme court\$ 83,400.00

REPORTER OF THE SUPREME COURT AND CODE EDITOR
(See page 46 of Budget Report)

"Sec. 41. For the department of the reporter of the supreme court and code editor there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of eleven thousand six hundred seventy-six (11,676) dollars and forty (40) cents or so much thereof as may be necessary, to be used in the following manner:

For salary of reporter of the supreme court and code editor	\$ 3,850.00
For salaries, support, maintenance and miscellaneous purposes	7,826.40

Grand total of all appropriations except as provided by section one hundred seventy-seven (177) of the Code for all purposes for each year of the biennium for the department of the reporter of the supreme court and code editor\$ 11,676.40

TREASURER OF STATE

(See page 46 of Budget Report)

"Sec. 42. For the department of treasurer of state there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of eighty-one thousand five hundred (81,500) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of treasurer of state.....	\$ 5,000.00
For salaries, support, maintenance and miscellaneous purposes for all divisions	76,500.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the treasurer of state\$ 81,500.00

BOARD OF VOCATIONAL EDUCATION

(See page 48 of Budget Report)

"Sec. 43. For the department of vocational education there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of thirty-five thousand forty (35,040) dollars or so much thereof as may be necessary, to be used in the following manner:

For salary of director of the vocational education division and civilian rehabilitation division.....	\$ 3,000.00
For salaries, support, maintenance and miscellaneous purposes	32,040.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the board of vocational education\$ 35,040.00

BOARD OF CONTROL OF STATE INSTITUTIONS

(See pages 58-70 of Budget Report)

"Sec. 44. For the board of control of state institutions, for the support, maintenance, operation, additions and betterments of all state institutions under control of the said board, namely:

State hospital and colony for epileptics and feeble-minded, Woodward. Institutions for feeble-minded children, Glenwood.

State hospital for insane, Cherokee.

State hospital for insane, Clarinda.

State hospital for insane, Independence.

State hospital for insane, Mount Pleasant.

State juvenile home, Toledo.
Penitentiary, Fort Madison.
Men's reformatory, Anamosa.
Women's reformatory, Rockwell City.
State sanatorium, Oakdale.
Iowa soldiers' home, Marshalltown.
Iowa soldiers' orphans' home, Davenport.
Training school for boys, Eldora.
Training school for girls, Mitchellville.

There is hereby appropriated the sum of three million eight hundred eighty thousand seven hundred seventy-seven (3,880,777) dollars or so much thereof as may be necessary for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, to be used at the respective institutions in the following manner and for the following purposes: State Hospital and Colony for Epileptics and Feeble-minded, Woodward

(1) For the state hospital and colony for epileptics and feeble-minded there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of two hundred fifty thousand five hundred twenty-two (250,522) dollars and thirty (30) cents or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and improvements.....\$250,522.30

Institution for Feeble-minded Children, Glenwood

(2) For the institution for feeble-minded children there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of three hundred twenty-seven thousand four hundred eighty-three (327,483) dollars and fifty (50) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$327,483.50

State Hospital for Insane, Cherokee

(3) For the state hospital for the insane, Cherokee, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of three hundred forty-eight thousand four hundred sixty-one (348,461) dollars and ten (10) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements....\$348,461.10

State Hospital for Insane, Clarinda

(4) For the state hospital for the insane, Clarinda, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of two hundred ninety-three thousand three hundred seventeen (293,317) dollars and ten (10) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements....\$293,317.10

State Hospital for Insane, Independence

(5) For the state hospital for the insane, Independence, there is hereby appropriated for each year of the biennium beginning July 1,

1935, and ending June 30, 1937, the sum of three hundred twenty-nine thousand eight hundred seventy-seven (329,877) dollars and ninety (90) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$329,877.90

State Hospital for Insane, Mt. Pleasant

(6) For the state hospital for the insane, Mount Pleasant, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of three hundred nineteen thousand one hundred thirty-nine (319,139) dollars and eighty (80) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$319,139.80

State Juvenile Home, Toledo

(7) For the state juvenile home, Toledo, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of one hundred nineteen thousand sixty-nine (119,069) dollars and thirty (30) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$119,069.30

Penitentiary, Fort Madison

(8) For the state penitentiary, Fort Madison, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of four hundred sixty-nine thousand one hundred fifty (469,150) dollars and fifty (50) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$469,150.50

Provided, however, that in the appropriation herein made the board of control shall so allocate said appropriation that every employee of the penitentiary at Fort Madison shall have one day vacation out of every consecutive seven days.

State Reformatory, Anamosa

(9) For the men's reformatory, Anamosa, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of three hundred seventy-five thousand four hundred fifty (375,450) dollars and ninety (90) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$375,450.90

Provided, however, that in the appropriation herein made the board of control shall so allocate said appropriation that every employee of the men's reformatory at Anamosa shall have one day vacation out of every consecutive seven days.

Women's Reformatory, Rockwell City

(10) For the women's reformatory, Rockwell City, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of fifty-six thousand six hundred ten

(56,610) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$ 56,610.00

State Sanatorium, Oakdale

(11) For the state sanatorium, Oakdale, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of two hundred nineteen thousand four hundred ninety-four (219,494) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$219,494.00

For Soldiers' Home, Marshalltown

(12) For the Iowa soldiers' home, Marshalltown, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of two hundred five thousand five hundred ninety-five (205,595) dollars or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$205,595.00

Iowa Soldiers' Orphans' Home, Davenport

(13) For the Iowa soldiers' orphans' home, Davenport, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of one hundred eighty-eight thousand fifty-nine (188,059) dollars and ninety (90) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$188,059.90

Training School for Boys, Eldora

(14) For the training school for boys, Eldora, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of one hundred seventy-seven thousand five hundred eighty-four (177,584) dollars and eighty (80) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$177,584.80

Training School for Girls, Mitchellville

(15) For the training school for girls, Mitchellville, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of seventy-six thousand nine hundred sixty (76,960) dollars and ninety (90) cents or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and improvements.....\$ 76,960.90

Emergency Fund

(16) For emergency purposes, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of fourteen thousand (14,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For emergencies and unforeseen expenses at any or all institutions under the control of said board.....\$ 14,000.00

Additional Emergency Fund

(17) For the board of control institutions there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of one hundred thousand (100,000) dollars or so much thereof as may be necessary, to meet any emergency or contingency that may arise at any of the institutions under the board, but no expenditures shall be made from this fund without the approval of the Governor and the state comptroller first obtained.

Road Fund

(18) For road purposes there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of ten thousand (10,000) dollars or so much thereof as may be necessary, to be used in the following manner:

For construction, maintenance and repairs of roads at institutions under the control of said board.....\$ 10,000.00

Grand total of all appropriations for all purposes for each year of the biennium for all institutions under the board of control\$3,880,777.00

STATE BOARD OF EDUCATION

(See pages 71-92 of Budget Report)

"Sec. 45. For the state board of education, for the administration, maintenance, operation, additions and betterments of the state university of Iowa, at Iowa City; the Iowa state college of agriculture and mechanic arts, at Ames; the Iowa state teachers' college, at Cedar Falls; the Iowa school for the deaf, at Council Bluffs; the Iowa school for the blind, at Vinton; the university hospital, at Iowa City, the psychopathic hospital, at Iowa City; and the bacteriological laboratory, at Iowa City; and for soldiers' tuition:

There is hereby appropriated the sum of five million eight hundred forty-one thousand seven hundred twenty (5,841,720) dollars or so much thereof as may be necessary, for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, to be used in the following manner and for the following purposes, to wit:

State University of Iowa

(1) For the state university of Iowa, at Iowa City, for each year of said biennium, the sum of one million nine hundred fifty thousand (1,950,000) dollars or so much thereof as may be necessary, for salaries other than the president, support, maintenance, equipment and general improvements.

(a) There is hereby appropriated for the salary of the president of the state university of Iowa for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, a sum not to exceed ten thousand (10,000) dollars.

Iowa State College of Agriculture and Mechanic Arts

(2) For the Iowa state college of agriculture and mechanic arts at Ames, Iowa, for each year of said biennium, the sum of one million nine hundred thirty-one thousand (1,931,000) dollars or so much thereof as may be necessary, for salaries, other than the president, support, maintenance, equipment and general improvements.

(a) There is hereby appropriated for the salary of the president of the Iowa state college of agriculture and mechanic arts for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, a sum not to exceed nine thousand (9,000) dollars.

Iowa State Teachers' College

(3) For the Iowa state teachers' college, at Cedar Falls, for each year of said biennium, the sum of five hundred sixty-three thousand (563,000) dollars or so much thereof as may be necessary, for salaries other than the president, support, maintenance, equipment and general improvements.

(a) There is hereby appropriated for the salary of the president of the Iowa state teachers' college for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, a sum not to exceed seven thousand (7,000) dollars.

Iowa School for the Deaf

(4) For the Iowa school for the deaf, at Council Bluffs, for each year of said biennium, the sum of two hundred seven thousand (207,000) dollars or so much thereof as may be necessary, to be expended as follows:

For salaries, support and maintenance.....\$207,000.00

Iowa School for the Blind

(5) For the Iowa school for the blind at Vinton, for each year of said biennium the sum of one hundred five thousand (105,000) dollars or so much thereof as may be necessary, to be expended as follows:

For salaries, support, maintenance, general improvements
and betterments\$105,000.00

MEDICAL AND SURGICAL TREATMENT OF INDIGENT PERSONS,
UNIVERSITY HOSPITAL

(6) For the purpose of carrying out the provisions of chapter one hundred ninety-nine (199), Code, 1931, for each year of said biennium, the sum of nine hundred forty thousand, nine hundred ninety-four (940,994) dollars or so much thereof as may be necessary, to be expended in the manner and under the authority provided in said chapter.

PSYCHOPATHIC HOSPITAL

(7) For the psychopathic hospital, at Iowa City, for each year of said biennium the sum of one hundred thousand (100,000) dollars or so much thereof as may be necessary, to be used in the manner and under the authority provided in chapter one hundred ninety-seven (197), Code, 1931;

provided however, that said amount shall be available in monthly installments, not exceeding eight thousand three hundred thirty-three (8,333) dollars and that said installments shall be expended only upon the submission of bills in the manner provided in section three thousand nine hundred eighty-four (3984) of said chapter.

BACTERIOLOGICAL LABORATORY

(8) For the bacteriological laboratory, at Iowa City, for each year of said biennium, the sum of twelve thousand two hundred twenty-six (12,226) dollars or so much thereof as may be necessary, to be used in the manner and under the authority provided in chapter one hundred ninety-six (196), Code, 1931.

SOLDIERS' TUITION

(9) The sum of four thousand (4,000) dollars or so much thereof as may be necessary, for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, for the payment of tuition for honorably discharged soldiers or sailors of the world war of the United States who are citizens of the state of Iowa, who enroll in any division of the State university, at Iowa City, or the college of agriculture and mechanic arts at Ames, said payment being fixed at twenty (20) dollars for each student for each semester and each summer school.

Grand total of all appropriations for all purposes for each year of the biennium, for all institutions under the board of education\$5,839,220.00

WORLD WAR ORPHANS' EDUCATIONAL AID

(10) The sum of two thousand five hundred (2,500) dollars for the use and benefit of children, not under sixteen (16), and not over twenty-one (21) years of age; in amount not exceeding one hundred fifty (150) dollars for any one child, for any one year, who shall have lived in the state of Iowa two (2) years preceding application for aid hereunder, and who are children of men or women who died during the World war between the dates of April 6, 1917, and July 22, 1921, while serving in the army, navy, or marine corps of the United States, as a result of such service; to defray the expenses of tuition, matriculation, laboratory and similar fees, books, and supplies, for such child or children—not including clothing—for attendance at any educational or training institution of college grade, located within the state of Iowa.

Eligibility for aid hereunder shall be determined upon application thereto by the Iowa bonus board, and the eligibility of all eligible applicants shall be certified by the adjutant general of Iowa, to the comptroller of Iowa, and all amounts that may be, or may become due to any individual, or any education or training institution under this appropriation shall be paid to the individual or institution by the said comptroller upon receipt by him of certification by the president or governing board of such educational or training institution as to the accuracy of charges made, and attendance of the individual at such educational or training institution.

GENERAL CONTINGENT FUND

"Sec. 46. For the purpose of establishing a general contingent fund for the state, there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of eighty thousand (80,000) dollars or so much thereof as may be necessary, to be administered by the committee on retrenchment and reform for contingencies arising during the biennium, which are legally payable from the general fund of the state.

INSURANCE DEPARTMENT

"Sec. 47. The insurance commissioner is hereby authorized to employ not to exceed eighteen (18) insurance examiners, of which examiners the commissioner may designate two examiners in charge at per diem not to exceed seventeen (17) dollars and fifty (50) cents each, and expenses as herein provided, all other examiners at per diem not exceeding fifteen (15) dollars each, and their actual and necessary expenses while engaged in the performance of their duties, said per diem and expenses to be paid from funds in the state treasury upon presentation of proper vouchers and warrants; provided, however, that the state treasurer shall be reimbursed in the manner and under the authority provided in sections eight thousand six hundred thirty-two (8,632) and eight thousand six hundred thirty-three (8,633), Code, 1931.

COUNTY AND MUNICIPAL EXAMINERS

"Sec. 48. The auditor of state is hereby authorized to employ county, municipal, and school examiners and assistants at a per diem not exceeding seven (7) dollars each, and their actual and necessary expenses while engaged in the performance of their duties, to be paid in the manner provided in sections one hundred twenty-five (125) and one hundred twenty-six (126), Code, 1931.

PIONEER LAW MAKERS

"Sec. 49. For the pioneer law makers there is hereby appropriated the sum of seventy-five (75) dollars or so much thereof as may be necessary for each year of the biennium beginning July 1, 1935, and ending June 30, 1937.

PRESIDENTIAL ELECTORS

"Sec. 50. For the presidential electors there is hereby appropriated the sum of one hundred fifty (150) dollars or so much thereof as may be necessary for each year of the biennium beginning July 1, 1935, and ending June 30, 1937.

BOARD OF ENGINEERING EXAMINERS

"Sec. 51. The board of engineering examiners is hereby authorized to pay its secretary a salary of six hundred (600) dollars per year and to pay a clerk three hundred (300) dollars per year, to be paid out of funds belonging to the board of engineering examiners.

GENERAL PROVISIONS

"Sec. 52. The governing board of any state department, institution, or agency, of, if there be no governing board, the head of any depart-

ment, institution or agency, in the interest of economy and efficiency, may, with the written consent and approval of the Governor and state comptroller, first obtained, at any time during the biennium, partially or wholly use its unexpended appropriations for purposes properly within the scope of such department, institution or agency.

"Sec. 53. No state department, institution, or agency receiving appropriations under the provisions of this act shall expend funds or approve claims in excess of its appropriations except as otherwise provided in this act. If the expenditures of any state department, institution, or agency, shall in any other manner exceed the amounts of its appropriation, the members of the governing board of any such state department, institution or agency who shall have voted for such excessive expenditures, or, if there be no governing board, the head of any such state department, institution, or agency making excessive expenditure or approving excessive claims shall be personally liable for the full amount of the unauthorized deficit thus created.

When the appropriation of any department, institution or agency, is insufficient to properly meet the legitimate expense of such department, institution or agency of the state, the state comptroller, with the approval of the Governor, is authorized to transfer from any other department, institution or agency of the state having an appropriation in excess of its necessity, sufficient funds to meet that deficiency.

"Sec. 54. No obligation of any kind, whatsoever, shall be incurred or created subsequent to June 30, 1937, against any appropriation made by this act, unless otherwise specifically provided by law, and, on June 30, 1937, it shall be the duty of the head of each department, board or commission, receiving appropriations under the provisions of this act, to file with the state comptroller a list of all expenditures for which warrants have not been drawn.

"Sec. 55. Except where otherwise specifically provided by law, all appropriations made by this act, remaining unexpended or unobligated, at the close of business on December 31, 1937, shall revert to and become a part of the general fund in the state treasury.

"Sec. 56. All salaries provided for by this act are in lieu of all existing statutory salaries, for the positions provided herein, and shall be payable in equal monthly or semi-monthly installments, and shall be in full compensation for all services except as otherwise expressly provided.

Employees of the state are granted one (1) week's vacation after one (1) year's steady employment and two (2) weeks' vacation after two (2) or more year's employment, with pay. Leave of absence of thirty (30) days is granted to employees on account of sickness or injury, accumulative for three (3) consecutive years, with pay at the discretion of the heads of departments.

"Sec. 57. Employees of the state shall be under the control of the head of the department and the compensation shall be subject to approval of the Governor and state comptroller. Any employee may be assigned to such duties as the department head shall direct.

"Sec. 58. For the office of state comptroller there is hereby set aside from the collection of taxes on motor vehicle fuel, the sum of two thousand five hundred (2,500) dollars or so much thereof as may be necessary annually, for use in employing sufficient help in writing motor vehicle fuel tax refund warrants.

"Sec. 59. For the office of the industrial commissioner there is hereby set aside from the primary road fund the sum of fifteen thousand (15,000) dollars or so much thereof as may be necessary annually, for use in paying all claims of the employees of the state highway commission who are injured or killed while on duty, as provided for in chapter seventy (70) of the Code.

"Sec. 60. For the office of the attorney general there is hereby set aside from the primary road fund the sum of fifteen thousand (15,000) dollars or so much thereof as may be necessary annually, for the purpose of covering all costs of litigation arising from or pertaining to primary roads.

"Sec. 61. For the purpose of complying with the requirements of the federal public works act and to make repairs, improvements and betterments at the various state institutions there is hereby appropriated the sum of four hundred fifty-five thousand three hundred and seventy-five (455,375) dollars or so much thereof as may be necessary, for each year of the biennium beginning July 1, 1935, and ending June 30, 1937.

To be expended by the board of control:

New power plant, Clarinda state hospital.....	\$ 43,750.00
Remodeling power plant and new equipment for same at Cherokee state hospital	26,250.00
Boilers and power plant equipment, Mitchellville	7,000.00
New hospital building, Oakdale	43,750.00
One (1) new cottage, Woodward.....	61,250.00
Extension prison wall, Fort Madison.....	4,375.00
Remodeling kitchens and dining rooms, Clarinda.....	56,000.00

To be expended by the board of education:

State University, Iowa City.....	60,000.00
State College, Ames.....	60,000.00
State Teachers College, Cedar Falls.....	30,000.00
School for blind, Vinton.....	21,000.00
School for deaf, Council Bluffs.....	15,750.00

To be expended by the state fair board:

State fair grounds, repairing and remodeling swine build- ing	26,250.00
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No expenditure of any of the funds appropriated by this section shall be made unless first approved by the comptroller and by the executive council, and unless funds available therefor are over and above funds necessary to meet general appropriations.

The Governor and comptroller are hereby authorized to obtain federal grants to the state to be used in connection with funds above appropriated for repairs, improvements and betterments.

"Sec. 62. Where any provisions of the laws of this state are in conflict with this act the provisions of this act shall govern for the biennium.

"Sec. 63. All appropriations made by this act are to be recorded and accounted for as is the procedure for the appropriations for the present biennium.

"Sec. 64. For the commission on uniform laws there is hereby appropriated for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of six hundred (600) dollars or so much thereof as may be necessary, to be used in the following manner:

For miscellaneous purposes\$ 600.00"

ROY E. STEVENS.
HAROLD L. IRWIN.
FRED W. NELSON.
E. P. DONOHUE.

On the part of the Senate.

LEROY S. MERCER.
A. H. BONNSTETTER.
O. E. JOHNSON.
JOHN R. IRWIN.

On the part of the House.

MAJORITY REPORT OF THE JOINT COMMITTEE TO INVESTIGATE THE IOWA LIQUOR COMMISSION

To the Members of the Senate and House of Representatives of the Forty-sixth General Assembly of Iowa:

Greetings!

MR. PRESIDENT AND MR. SPEAKER: Your committee, three (3) Senators from the Senate appointed by the President, and three (3) members from the House appointed by the Speaker, met and organized pursuant to Senate Joint Resolution No. 1:

"Creating a joint investigating committee to investigate the operation of the Iowa liquor control act and the administration of said act by the Iowa liquor control commission, to make report of its findings together with recommendations to the Forty-sixth General Assembly giving said committee the power to subpoena witnesses and administer oaths, and to provide an appropriation therefor." now respectfully reports:

That after its organization on the 19th day of February, A. D. 1935, your committee released to the press a notice directed to all persons having any complaints to make or file with, or evidence to submit to, the committee, or any irregularities having to do with the subject matter, instructing and authorizing such persons to leave their names and addresses with the committee, to be later called to testify before it in the premises.

That on or about the 28th day of February, A. D. 1935, at the Iowa liquor control commission headquarters, 10th and Mulberry streets, Des Moines, Iowa, witnesses were called, duly sworn, and testimony taken in shorthand, and forthwith translated into typewritten form, made up in two (2) bound volumes, consisting of fifteen hundred and eighteen (1518) pages of typewritten transcript.

That the said transcript and exhibits introduced in evidence are filed with this report and by reference are made a part hereof.

That the committee by virtue of the authority vested in it engaged as its attorney the services of Mr. Floyd E. Page of Denison, Iowa, who

was to gather evidence and conduct the hearings which commenced by taking testimony as set out above. In this connection, the record will show that the hearings were commenced during the spring recess of the Legislature, at which time it was not deemed necessary to engage an attorney. But upon the reconvening of the said Legislature, for the purpose of expediting the work of the committee, and to afford a better opportunity to investigate and consider the matters before it, the above named attorney was employed.

That the said attorney was authorized and instructed by the committee that upon the completion of taking testimony to assemble and group the record evidence, and to submit the same to the committee, following which the committee was to submit its report to the Forty-sixth General Assembly of Iowa, together with its recommendations.

That on or about April 22, 1935, the attorney for the committee submitted to each member thereof a report containing not only the testimony assembled and grouped, but also conclusions drawn by him from the evidence, his recommendations in the premises and conclusions of law.

Under the said joint resolution it is the function and duty of this committee to make report of its findings, together with recommendations to the Forty-sixth General Assembly.

We, therefore, beg leave to submit the following report:

That the very nature of the investigation required your committee to hear and receive much evidence in an effort to follow leads and clues, which procedure resulted in the reception of much hearsay testimony. There was considerable testimony concerning apparent attempts by politicians, of both parties, to influence the sale of liquor to the commission, and attempting to lead liquor dealers to believe that they could effect such sales. The record is fairly conclusive that these so-called politicians were merely chiselers who had no influence whatever with the commission, but in their zeal to make connections with certain liquor dealers attempted to lead the latter to believe they could negotiate sales to the said commission. None of this evidence, however, leads to the Iowa liquor control commission, to any of its employees, or to any administrative officer of the state of Iowa.

That there was under investigation the matter of the Cooper seal incident at Cedar Rapids, Iowa, and also the conviction of the said Cooper before a jury of the District Court of Linn county, Iowa, upon a charge of knowingly and wilfully permitting one, J. LeRoy Farmer, to have illegal possession of intoxicating liquor. We have also had under consideration the matter of the effort on the part of the said Cooper to influence one, J. H. Collins, of Fonda, Iowa, to withdraw from the Democratic ticket as a candidate for the office of Representative from Pocahontas county upon the promise that he, the said Collins, would be given a position with the said liquor commission. The resignation of Harold M. Cooper, as a member of the said Iowa liquor control commission, prior to the completed drafting of this report obviates the necessity of, or occasion for, this committee reporting its findings or conclusions on these two matters, which pertain only to Harold M. Cooper, or con-

cerning any other matters under investigation by this committee concerning the said Cooper.

That there have been many rumors and much talk concerning the ownership of the building rented by the Iowa liquor control commission for its central headquarters in Des Moines, Iowa. The committee, after a thorough investigation of this matter, and from the record in the case, can come to no other conclusion than that neither Governor Clyde L. Herring, nor the Herring Motor Company, now have any interest in said building, or the grounds upon which it is situated, nor have they had any interest in the same since long before our State Legislature passed the present Iowa liquor control act. The record indisputably shows that Governor Herring divested himself of all ownership and interest in this property on July 18, 1932, and that the Herring Motor Company divested themselves of all interest in said property before that date.

Claim has been made in some quarter as to Governor Herring's contingent liability on the note of one hundred thousand (100,000) dollars secured by mortgage on said property which is held by the Equitable Life Insurance Company of Des Moines, Iowa. The record shows this original note and mortgage was given by Clyde L. Herring and wife. We find that neither Clyde L. Herring, Emma P. S. Herring, his wife, nor the Herring Motor Company, have any right, title or interest in or to the property located at 10th and Mulberry streets, Des Moines, Iowa, known as the Mulberry Building which is used as the central headquarters of the Iowa liquor control commission at Des Moines, Iowa; that they have received no part of the rents or any remuneration of any kind growing out of the leasing of said building to the Iowa liquor control commission; that all of their interest had been assigned prior to the date the General Assembly of the state of Iowa enacted the Iowa liquor control act.

That we further find that the Equitable Life Insurance Company holds the note and mortgage in the neighborhood of ninety-five thousand (95,000) dollars, in principal, on said building and property, which note and mortgage were signed by Clyde L. Herring, Emma P. S. Herring, Herring Motor Company, and others, and that since July, 1932, the Equitable Life Insurance Company has not deemed any of the above named parties liable on said note and mortgage, and if foreclosure were had at this time, or any time subsequent to July, 1932, would not have made them parties to the action, and that after examining the abstract of title, state that the above named parties have no interest whatsoever in said property, and the only reason that the note and mortgage above referred to have not been returned is because those evidences of indebtedness are filed with the insurance commissioner of the state of Iowa to show investment of that amount of money in this property, as required by law.

That in order to provide facilities for hauling liquor from the central warehouse at Des Moines, Iowa, to the various stores throughout the state, it was necessary to enter into a contract with a responsible trucking concern to have this work done. While there was no public bidding

for the letting of this contract, which this committee believes advisable in all cases of the letting of such public contracts, it is true that both written and oral bids were received and many trucking concerns were contacted and requested to submit bids upon this contract. The contract was finally let to the White Line Transfer & Storage Company on the basis of twenty-nine (29) cents for three (3) standard U. S. gallons, whereas the Retail Merchants Delivery bid was twenty-five (25) cents per case. Computing the White Line Transfer & Storage Company's contract, on a per case basis, their bid was in reality twenty-five (25) and eighty-five hundredths ($85/100$) cents per case.

That the general public has been led to believe that the White Line Transfer & Storage Company were paid twenty-nine (29) cents per case, while the Retail Merchants Delivery bid was submitted at twenty-five (25) cents per case, or a charge of four (4) cents more per case. Therefore, the fact is, as disclosed by the record, that the White Line Transfer & Storage Company under their contract received only eighty-five hundredths ($85/100$) of one (1) cent per case more than the lower bid as submitted by the Retail Merchants Delivery.

That the commission was placed in possession of the facts indicating that the White Line Transfer & Storage Company was a company of large financial responsibility and considerable experience in long distance hauling, being a business it had carried on for years and long distance hauling was not merely an incident to its hauling, but was its main and general business.

That on the 13th day of December, 1934, the Iowa liquor control commission and the said White Line Transfer & Storage Company entered into an amendment to said hauling and trucking contract. Certain misunderstandings had arisen between the parties to the contract with reference to the computation of the compensation for hauling said liquor by the case, and certain other matters pertaining to said contract. The White Line Transfer & Storage Company claimed the right to have hauled and to haul all cases of liquor from the first party's central warehouse at Des Moines to the Iowa retail liquor store No. 1, located as hereinbefore set out, and to be compensated therefor under the terms of said original contract. The said White Line Transfer & Storage Company claimed to have hauled quantities of furniture, janitor supplies, paper and so forth, from the central warehouse at Des Moines, Iowa, to other liquor stores in the state of Iowa at the request of the Iowa liquor control commission for which they claimed they had not received compensation. The said White Line Transfer & Storage Company also claimed that they understood from verbal negotiations with the first party, prior to the execution of said contract on May 11, 1934, that approximately one hundred (100) liquor stores would be located and established in Iowa within ninety (90) days following the execution of the contract and that relying thereupon they purchased equipment and had computed hauling costs based upon the probable gross tonnage for said volume of business, and that to the date of said amendment less than sixty (60) stores had been established by the liquor commission, which caused the said White Line Transfer & Storage Company con-

siderable increase in the cost per case for delivering a much smaller gross tonnage than was previously anticipated and considered.

It was also claimed by the said White Line Transfer & Storage Company that the compensation for hauling said liquor was to be 29 cents per case whether the case was composed of quarts or fifths, even though paragraph three (3) of said contract specifically defined the case to contain 693 cubic inches of liquor.

That the said White Line Transfer & Storage Company also claimed compensation for returning stock from the various stores that was not moving and for which they had received no pay.

All of these contentions gave rise to an honest and valid dispute between the contracting parties which had to be settled, preferably without litigation.

With reference to the dispute concerning the matter of transporting liquor from the central warehouse to store No. 1 at Des Moines, though only a distance of seventy-five (75) feet, the White Line Transfer & Storage Company, by amendment to said contract, waived the sum of three thousand six hundred ninety-five (3,695) dollars and sixty-two (62) cents providing their contention in the premises was correct.

In view of the opinion of the attorney general holding that said White Line Transfer & Storage Company could collect from said liquor commission the sum of twenty-nine (29) cents per case for transporting said liquor from said warehouse to said store No. 1, the committee feels that the said liquor commission struck a good bargain, because, while the said White Line Transfer & Storage Company waived their claim to the said sum of three thousand six hundred ninety-five (3,695) dollars and sixty-two (62) cents, the Iowa liquor control commission waived only the sum of two thousand seven hundred two (2,702) dollars and thirty-four (34) cents by reason of the difference in the cubic inches of liquor in the different size cases; or in other words, a difference of nearly one thousand (1,000) dollars in favor of the Iowa liquor control commission, and the same benefits would accrue to the state of Iowa, or the Iowa liquor control commission in the same ratio since the date of March 1, 1935.

The committee also finds that the said White Line Transfer & Storage Company received no compensation for much of the equipment transported by them to the various liquor stores in Iowa, and so on the whole find that no fair minded person can come to any other reasonable conclusion than that it was much better to have amended the contract in the manner in which it was amended, with these various items of dispute and misunderstandings, thereby procuring a settlement and compromise, without litigation.

The committee further finds that the amendment drawn by the attorney general for the commission in connection with the contract of the said commission with the White Line Transfer & Storage Company was a prudent, businesslike and honest compromise of dispute which naturally arose from the operation of the original contract, and that if any one profited by the amendment it was the state of Iowa and the Iowa liquor control commission.

The committee further finds that in December, 1934, the Iowa liquor control commission issued a wholesale liquor dealers' license to the Western Distributing Company of Tama, Iowa, who became the Iowa representative of the Century Distilling Company of Peoria, Illinois. No stock of liquor is kept by the Western Distributing Company within the state of Iowa as orders for products of the company represented by it are as a rule sent direct to the distillery, and the only function performed by said company is to see to it that invoices are paid by the commission for which payment the Western Distributing Company is held responsible.

That subsequent to the issuance of said wholesale liquor dealers' license the said liquor commission placed orders with the Western Distributing Company for a total of forty-one hundred (4100) cases at a price of one (1) dollar per case higher than they had previously bought the same products from said distillery and there had been no corresponding increase in the distillery's prices.

That the Western Distributing Company has been paid for one (1) carload of liquor purchased through it, but payment of the remaining three (3) carloads has not yet been made.

That your committee sees no valid reason why the Iowa liquor control commission should have ceased direct purchases from the Century Distilling Company and then purchased the same merchandise from the Western Distributing Company at an increase of one (1) dollar per case. The commission should accordingly be, and are hereby, directed to retain the sum of one (1) dollar per case, representing the increase in price over the distillery price to the commission, or a total of forty-one hundred (4100) dollars out of the amount which is still due the Western Distributing Company, under the arrangement set forth, and as yet unpaid.

That, therefore, it is the sense of the committee that nothing can justify the purchase of liquor from the Western Distributing Company in preference to purchasing direct from the Century Distilling Company at a price of one (1) dollar more per case. We, therefore, accordingly recommend that hereafter the Iowa liquor control commission purchase direct from manufacturers, distillers and importers rather than through any agents, agencies, or distributors, set up within the state of Iowa, and that had this been done in the past, we, your committee, believe that liquor could have been purchased at a considerably lower cost to the commission and accordingly sold to the consumer at a lower price.

The committee finds that the premises now occupied by the Iowa liquor control commission was on the 6th day of April, 1934, the date at which the Iowa liquor control commission entered into a lease with the Mulberry Realty Company, the most suitable building available in the city of Des Moines for the purpose of maintaining the central headquarters of the liquor commission, its warehouse, the executive headquarters, and store No. 1.

The Iowa liquor control act provides that the principal place of business of the Iowa liquor control commission shall be in the city of Des Moines, Iowa, and that the commission shall have the power to rent, lease, and/or equip any building or any ground necessary to carry out the purposes of this act.

We are of the opinion that the commission had legal authority to enter into said lease and equip said building independent of the sanction of the executive council of the state of Iowa and that the validity of said lease cannot in any way be questioned.

The committee finds that wholesale licenses were issued to the Globe, Incorporated, of Sioux City, Iowa; to the Globe, Incorporated, of Council Bluffs, Iowa; the Hammond Liquor Company of Council Bluffs, Iowa, and to the Old Time Liquor Company of Council Bluffs, Iowa.

Agents of the Iowa liquor control commission secured certain evidence of illegal sales of liquor by all of the said companies and seized from said four companies approximately forty-five thousand (45,000) dollars worth of liquor.

In the cases of the Globe, Incorporated, at Sioux City, and the Globe, Incorporated, at Council Bluffs, approximately twenty-five thousand (25,000) dollars worth of liquor was seized. The license of Globe, Incorporated, was revoked, which action subjected the bond of the company to forfeiture. Subsequently, Leslie E. Francis, legal adviser for the Iowa liquor control commission, recommended to the commission that the matter be settled, and accordingly a stipulation was entered into by the parties wherein all said liquor so seized was released except twenty-five hundred (2500) dollars worth thereof, which was segregated for the commission, and by the commission sold back to the former owners or the holders of liens on said liquor. Payments therefor were made in installments and the entire twenty-five hundred (2500) dollars has been paid to the Iowa liquor control commission. The record is not entirely clear on this matter, but we are justified, from the evidence, in coming to the conclusion that this liquor was sold to one Morris Milder of Omaha, Nebraska, who had some connection with the Globe, Incorporated, and who was interested in the General Sales Company of Omaha, Nebraska, which was granted a wholesale license after the Globe, Incorporated, matter had been adjusted. This settlement was a settlement in full of all claims of the state of Iowa against the seized liquor valued at approximately twenty-five thousand (25,000) dollars and in full settlement of the one thousand (1,000) dollars penalty of the bond given as a prerequisite to securing the wholesale license.

In the case against the Hammond Liquor Company of Council Bluffs, Iowa, five hundred fifty (550) cases of liquor were seized. The case was later dismissed, the cost taxed against the state of Iowa and the wholesale license to the said Hammond Liquor Company reinstated.

In the case against the Old Time Liquor Company of Council Bluffs, Iowa, approximately four thousand (4,000) dollars worth of liquor was seized. Later a compromise settlement was made whereby the Iowa liquor control commission accepted approximately forty-three (43) cases of the liquor under seizure and waived their rights and forfeiture of collection of the one thousand (1,000) dollar bond posted as required by law.

Our statutes provide the method and manner of procedure in the matter of the disposition of liquors seized under search warrant proceedings. The method of proceeding, so provided by these statutes, was

flagrantly violated by the commission and their legal adviser, Leslie E. Francis.

Under section thirty (30) of the liquor control act, the commission could not refuse to issue a wholesaler's license if the applicant could comply with the requirements laid down by law. In view of this situation we recommend that the legislature repeal that section of the act providing for the issuance of wholesale licenses.

The committee is of the opinion that due to the fact that there is no provision in our law for the hiring or maintaining of legal counsel for the Iowa liquor control commission, that the services of the present legal adviser for said commission be dispensed with immediately and that all legal matters for the commission should be hereafter handled by the attorney general and his assistants.

We further recommend that the law enforcement division of the Iowa liquor control commission be given the same power and authority now given state agents or peace officers, or that the law enforcement division of the said commission be transferred to the department of justice.

The undersigned find the Iowa liquor control commission came into being March 9, 1934.

The first few months were spent in establishing the central office and warehouse in Des Moines and in leasing and equipping stores in twenty-six (26) cities and towns in the state.

On June 19, 1934, five stores were opened and nearly every week thereafter a few more stores were added to the list, until on March 31, 1935, sixty-eight (68) stores were in operation. Every one of these sixty-eight (68) stores is making a profit for the state of Iowa.

From the date of opening the first store until March 31, 1935, the commission sold three million nine hundred twenty-one thousand eight hundred eighty (3,921,880) dollars and eighty-five (85) cents worth of liquor and took in one hundred sixteen thousand five hundred twenty (116,520) dollars and thirty-six (36) cents on permits and license fees.

Up to March 31, 1935, the commission has made eight hundred fifty-three thousand two hundred seventy-two (853,272) dollars and seventy-two (72) cents net profit for the state of Iowa.

Every dollar spent for liquor at the state liquor stores can be divided as follows:

- 67 cents—cost of liquor.
- 12 cents—operating cost.
- 21 cents—profit to the state.

In spite of the fact that the commission has returned every dollar's worth of money advanced it by the treasury, they are meeting all their bills when due. At the present time the commission does not owe any overdue bills. Most of the bills are being discounted and in a few months all bills will be discounted. This is particularly remarkable in the face of the fact that the commission is operating entirely without outside capital.

Nowhere in the record do we find that there was any graft on the part of the commission or any of them.

The present liquor set-up under the Iowa liquor control act, in the

opinion of the undersigned, will accomplish all that is claimed for it if strictly and properly administered, and in view of the fact that the liquor control commission was pioneering in this field, it is the thought of the undersigned, and they recommend that the law as it now stands be not amended or repealed, except as in their report recommended, until the same has had a fair trial in the matter of administration of the act, as provided.

Respectfully submitted,

M. X. GESKE, *Chairman* .

C. L. MCKINNON.

ANDREW BELL.

DON W. BURINGTON.

D. W. KIMBERLY.

On the part of the Senate.

On the part of the House.

MINORITY COMMITTEE REPORT

To the Senate and the House of the Forty-sixth General Assembly:

We, the undersigned members of your Senate Joint investigating committee, created under authority of Senate Joint Resolution 1, beg leave to submit the following minority report:

In the first place, let us state that this resolution as placed in our hands did not contain a single charge against any person, but did authorize us to investigate and see what we could find and make a detailed report of our findings together with our recommendations to the Forty-sixth General Assembly, now in session.

In our investigation of the Iowa liquor control commission and its employees, we feel that the commission should be severely criticized for their administration of the liquor control act, as the intention of the act was to control the sale of alcoholic liquors, and it appears from the investigation that their main objective was to increase the sales thereof. The same thing could also be said of several of the managers of the retail liquor stores.

The commission should also be severely criticized for paying more than was necessary to the distilleries to have their liquors placed in the commission's warehouse, said excess payments being returned to the distilleries' agents in Iowa to be used in missionary work in order that more of their liquor could be sold to the state of Iowa. This condition was not confined to any one transaction but can be said to be true of several different transactions. In at least one instance it amounted to around two (2) dollars per case.

We also feel that the commission should be severely criticized for spending over fifty-eight thousand (58,000) dollars in improvements and repairs on the Mulberry building without making any arrangement for repayment of same out of the rentals to be paid to said company for use of their building.

We would also state that we did not complete our investigation due to lack of time, but were compelled to cease activity so we could make our report to this General Assembly as requested in your resolution. For the detailed report of our findings, we submit the report of our attorney, Mr. Floyd E. Page, a copy of which is being filed with this report.

For our recommendations to this Assembly, we recommend the following:

(1) That Harold M. Cooper, Dick R. Lane, and Bernard E. Manley, members of the Iowa liquor control commission be removed from office at once.

(2) That the legal department of the Iowa liquor control commission be discontinued and all legal work be cared for out of the Attorney General's office as provided by law.

(3) That the law enforcement division of the Iowa liquor control commission be discontinued, same to be carried out under the department of justice, the same as the other laws of our state.

(4) That all wholesale dealers' licenses be cancelled, and that part of the law permitting same be repealed.

(5) That the commission be instructed to cancel the hauling contract with the White Line Transfer & Storage Company and collect the sum of one thousand five hundred seven (1,507) dollars and forty (40) cents illegally paid to them. Also that the commission let all new contracts of this nature to the lowest responsible bidder.

(6) That all liquor be purchased direct from the distiller, if possible, and at the lowest possible price to the state of Iowa.

(7) That most all of the early leases made by the commission for their retail stores be either cancelled or scaled down to where they should be. Also that steps be taken to adjust the rental paid to the Mulberry Realty Company for use of the Mulberry building in view of the fact that the Commission spent over fifty-eight thousand (58,000) dollars of the state's money in improving and repairing said building.

(8) That the commission be instructed to limit the amount of liquor that can be purchased by a permit holder as provided for in section eight (8), subsection "h", chapter twenty-four (24), acts of the Forty-fifth General Assembly, Extraordinary Session, or you should repeal the entire permit section of the law, as the way it is now administered it amounts to nothing.

(9) That the commission be instructed to carry a much smaller stock of liquor and that they use what money they have available to take their cash discounts.

(10) That the commission be instructed to carry out the intent of the liquor control act which was to control the sale of alcoholic liquor and not to increase the sales thereof.

(11) That the commission should be instructed to withhold the sum of four thousand one hundred (4,100) dollars from the amount now due from the commission to the Western Distributing Company of Tama, Iowa, for excess payment of liquor purchases from said company.

(12) That the executive council be authorized and permitted to use the surplus room in the Mulberry building for any other department of the state of Iowa that is in need of more office room, thereby reducing said rentals being paid by the state of Iowa.

Respectfully submitted,

DEWEY E. GOODE.

REPORT OF FLOYD E. PAGE

April 22, 1935.

Honorable M. X. Geske,
Honorable D. W. Kimberly,
Honorable Andrew Bell,
Honorable C. L. McKinnon,
Honorable Dewey E. Goode,
Honorable Don W. Burington.

Members of the Legislative Committee, appointed by the Forty-sixth General Assembly, for the purpose of investigating the Iowa Liquor Control Commission, and the administration thereof:

Gentlemen:

At your request, and as your attorney, I have made summaries of, and conclusions upon, the testimony introduced in the hearing held by your committee, and append the same hereto. For the sake of expediency in examining the same, I have attempted to segregate the evidence under separate pertinent topics.

You realize, of course, the magnitude of the work that has devolved upon me, as attorney for the committee, and the impossibility of doing justice thereto within the time limit allowed to us by reason of pending adjournment of the Legislature, to which you are required to report. I am abidingly satisfied, had we been allowed to continue, that other evidence could, and would have been produced which would have had an important bearing upon the situation being examined into. We did not finish our task, we merely were obliged to cease activities.

In view of the fact that much of the burden of the investigation was placed upon me after I was retained as your counsel, and that accordingly I am the one to whom blame will attach if, in the eyes of the people of the state, your report to the Legislature is deemed unsatisfactory, I accordingly ask that I be accorded the privilege and the courtesy of having this, my report to your committee, made a matter of public record, in some proper manner.

The following report has been prepared wholly without suggestion or interference upon the part of your committee, or any member thereof. It has been carefully and painstakingly compiled, and the conclusions therein reached have been carefully and thoughtfully drawn, and I stand ready to justify and defend them, if ever deemed necessary or advisable.

I accordingly respectfully submit the following to your honorable committee, to-wit:

IN RE: WHITE LINE TRANSFER & STORAGE COMPANY
CONTRACT. FINDINGS OF FACT

Some time in April, 1934, C. M. Hart, traffic manager for the Iowa liquor control commission, advised a number of persons and companies engaged in the transportation of freight by motor truck, that the said commission was about to engage services of that nature. No formal

advertisement or published notice was given to that effect, but Mr. Hart got in touch with approximately ten (10) or twelve (12) concerns engaged in that business. (536) To the interested ones he orally submitted an informal list of requirements which he deemed essential. (476-490)

Pursuant to this advice, proposals or bids were submitted by three (3) concerns for hauling liquor to all liquor stores throughout the state, the official figures thereon being as follows, to wit:

Retail Merchants Delivery, Des Moines, twenty-five (25) cents per case. (473, 474, 491) Mid-West Cartage Company, Sioux City, twenty-nine (29) cents per case. (476) White Line Transfer & Storage Company, Des Moines, twenty-nine (29) cents per case. (486, 487)

The bid originally submitted by the White Line Transfer & Storage Company of Des Moines was thirty-five (35) cents per case (507), which they later changed to twenty-nine (29) cents per case, and the one submitted by H. C. Reppert for the Retail Merchants Delivery of Des Moines, was originally twenty-seven (27) and five tenths ($(5/10)$) cents per case, which was later changed to twenty-five (25) cents per case, at the suggestion of Mr. Hart. (495, 506) These changes were, of course, made prior to the awarding of the contract.

At the time of the change in the Retail Merchants Delivery bid, which change was made in Mr. Hart's office, he told Mr. Reppert (according to Reppert), if he would make that change he "would get the business." (495) Hart, speaking of the incident, says he suggested the change to twenty-five (25) cents, even though the bid of the Merchants Transfer at twenty-seven (27) and five-tenths ($(5/10)$) cents was then the low bid. (506)

These bids were all brought to the attention of the commission (489), and a written recommendation was made to the commission by Mr. Hart, favoring the White Line Transfer & Storage Company, which recommendation, however, for some unaccountable reason, does not even mention the bid of the Retail Merchants Delivery (Exhibit "O", pp. 536-541) Hart said his only real objection to the last named company, and his main reason for not recommending acceptance of their bid, which was the lowest bid, was that he understood it had no extensive experience in cross country hauling. (477) Other evidence, which it is believed is entitled to more weight, as coming from people with personal knowledge of the facts, shows that the Merchants Retail Delivery delivers freight to all parts of the state of Iowa for Des Moines retail stores, (494), and that it had agreed and prepared to meet all specifications laid down by Mr. Hart. (494, 495, 615-21)

The undebatable fact remains, however, that the bid of the Retail Merchants Delivery, of twenty-five (25) cents per case, for hauling liquor anywhere within the state of Iowa from the central warehouse in Des Moines, was the lowest bid received, and even before the change was made to that figure, its bid of twenty-seven (27) and five-tenths ($(5/10)$) cents was the low bid, and it is a fair conclusion from the record, to say that the said company could, and would have met all the requirements set out in the specifications furnished by Mr. Hart.

According to H. C. Reppert of the Retail Merchants Delivery, he was told by W. E. Wissler, of the Herring-Wissler Company, that in order to secure the contract with the liquor control commission, it would be necessary for him to pay into the "kitty", four (4) cents per case for every case of liquor hauled, and that he should raise his bid to twenty-nine (29) cents to allow for that amount. This, he refused to do. (947-951) W. E. Wissler testified that he told Reppert he should raise his bid four (4) cents per case, because the bid of twenty-five (25) cents was too low, and that if he were awarded the contract, he would be expected to make a contribution to the democratic campaign fund, but denied that he said the contribution would be based on four (4) cents per case for every case transported under the contract. (1506-1512)

However, on the 11th day of May, 1934, the Iowa liquor control commission, by H. M. Cooper as chairman thereof, entered into a written contract (Exhibit "K", p. 459) with the White Line Transfer & Storage Company of Des Moines, Iowa, whereby the said company was given, for a period of one (1) year from and after June 1, 1934, the exclusive right "of hauling and delivering all merchandise to be acquired, distributed and sold in the various stores now being established, and hereafter to be established" by the Iowa liquor control commission. (459)

Commissioner B. E. Manley was not present at the meeting at which the said contract was awarded, being occupied elsewhere with official duties, knew nothing of the terms thereof, it had not been discussed with him (392), and he was not advised that there had been a bid filed which was lower than the bid of the company which was awarded the contract. (589) He had not been told of any recommendation made by Mr. Hart. (393)

The said contract set the compensation for the services to be so performed at "twenty-nine (29) cents for each case of liquor hauled from first party's central warehouse in the city of Des Moines, Iowa, to the various stores and distributors now or hereafter located and established throughout the state of Iowa." The contract also defined a "case" as "the equivalent of three (3) United States standard gallons of two hundred thirty-one (231) cubic inches each, and liquid to the amount of six hundred ninety-three (693) cubic inches." (460) Under the contract the commission was given the privilege of extending the life of the same for an additional one (1) or two (2) years from and after the first day of June, 1935, notice of such election to extend to be given the transfer company, in writing, on or before sixty (60) days prior to the termination of the said contract.

It was also provided in the last paragraph of said contract, that the said contract as it then stood or was subsequently altered, shall "become null and void should the legislature of the state of Iowa pass a law so changing the act known as the Iowa liquor control act, as to make the further continuance of this contract useless and unnecessary." (364)

On the 13th day of December, 1934, a so-called "amendment" (Exhibit "K-1", p. 459) was entered into by the White Line Transfer & Storage Company with H. M. Cooper, chairman of the Iowa liquor control commission, upon the advice of the attorney general (567, 568) and the

Governor (578, 579). The said "amendment", after reciting several alleged grounds for a change therein, the most of which are trivial and of no legal consequence, chief of which was the dissatisfaction of the transfer company with its rate of compensation being based on three (3) standard United States gallons instead of on a straight case basis, changed the basis of computation for liquor hauled, and to be hauled, to twenty-nine (29) cents per case, regardless of whether or not a case contained less than three (3) gallons of liquid. (Exhibit "K-1", 466).

Prior to the last named date the commission had made payment to the White Line Transfer & Storage Company in accordance with the provisions of the contract of May 11, 1934, that is, on the basis of twenty-nine (29) cents for each three (3) gallons of liquor transported. The White Line Company, however, from the beginning, in spite of the provision of the contract, as to compensation, and in violation thereof, had billed the commission on the basis of a "flat case rate", and at the time of the execution of the alleged "amendment" to said contract, the said company claimed an additional sum of one thousand five hundred seven (1,507) dollars and fifty-six (56) cents due to it on the last named basis. (568, 569)

Under the "amendment" to the contract, the said sum of one thousand five hundred seven (1,507) dollars and fifty-six (56) cents was paid to the transfer company by the commission (441, 569), thus placing its compensation, from the beginning of the services rendered on the original contract, on the "flat case basis", instead of observing the provisions of the contract as originally entered into, which provided for payment on the basis of a three (3) gallon case. In this manner, an increase in compensation for the transfer company was made retroactive.

The "amendment" to said contract also extended the life of the contract for two (2) years from and after June 1, 1935, which was the date upon which the original contract terminated, subject to the option to renew on behalf of the commission.

The change in the basis of compensation from a gallonage to a "flat case rate," increased the compensation of the White Line Transfer & Storage Company to the extent of three hundred fifteen ten thousands (.0315) cent per case on the average case of liquor transported for the commission, or ten and eighty-six hundredths (10.86) per cent, as the average case of liquor transported for the commission contains only two and sixty-seven hundred forty-two ten thousandths (2.6742) gallons. (552) On the basis of transporting three hundred thousand (300,000) cases per year, a very conservative minimum estimate made by Mr. Hoope, comptroller for the commission, the above change in the said contract would increase the compensation of the said transfer company about nine thousand (9,000) dollars annually over the provisions of the original contract.

CONCLUSION

Article three (III), section thirty-one (31), of the constitution of Iowa, contains the following provision, to-wit:

"No extra compensation shall be made to any officer, public agent, or

contractor, after the service shall have been rendered or the contract entered into . . .”

By the change in the rate of compensation to the White Line Company, by the “amendment” to the contract of May 11, 1934, extra compensation was made to the said contractor, after the contract had been entered into. It is, therefore, obvious that under the above quoted constitutional provision, the change or “amendment” in the contract of the White Line Transfer & Storage Company is in violation of the basic law of the state of Iowa and of no validity, and, at most, the said company holds no valid contract with the commission, except the unexpired portion of the original contract, which, by its terms, terminates on June 1, 1935.

The commission should be directed and required to forthwith recoup from moneys owned by it to the White Line Transfer & Storage Company, if any, the sum of one thousand five hundred seven (1,507) dollars and forty (40) cents paid to the said company under said illegal “amendment” to said contract entered into in December, 1934, and in case such sum is not now owed, or does not later become due to the said company from the commission, to forthwith institute action for the collection thereof.

Subsequent to the execution of the “amendment” to said contract on December 13, 1934, the White Line Transfer & Storage Company has been compensated for transporting liquor on the “flat case rate”, instead of the gallonage basis as provided under the original contract. The amount of this overpayment to the 13th day of April, 1935, is three thousand two hundred twenty-seven (3,227) dollars and thirty-four (34) cents, (Ex. “X-44”), which said overpayment the commission should be directed to recover, by legal action if necessary; and should further be directed to make compensation to the said White Line company for the remainder of the term of its contract upon the three (3) gallon case basis, as provided in the said contract.

The commission should be directed and required to cancel the so-called “amendment” to the contract for the reasons above set forth, and further directed and required to refuse to renew the original contract upon termination thereof, on June 1, 1935. It should also be directed and required to henceforth enter into no contract of this nature except after public advertisement for sealed bids thereon, and that the said contract then be let to the lowest and best bidder, upon specifications to be furnished by the commission, in a manner comparable with like situations in other branches of government.

IN RE: PURCHASES FROM WESTERN DISTRIBUTING COMPANY. FINDINGS OF FACT:

On or about the 10th day of December, 1934, the Iowa liquor control commission issued a wholesale liquor dealer's license to the Western Distributing Company of Tama, Iowa, (668) a partnership composed of M. W. Hyland, John Hyland, his son, both of Tama, Iowa, and Roland Oliver of Peoria, Illinois, the said company having been organized in the first part of December, 1934.

The said company became the Iowa representative of the Century Dis-

tilling Company of Peoria, Illinois, which was the only company it represented. (647) No stock of liquor is kept by the Western Distributing Company within the state of Iowa, orders for products of the company represented by it are, as a rule, sent directly to the distillery, and the only function that said company performs is to see that the invoices are paid by the commission, for which payment the Western Distributing Company is held responsible. (650-651)

Subsequent to the issuance of said wholesale license, the commission placed four (4) orders, each for a carload of liquor, with the Western Distributing Company, for a total of forty-one hundred (4100) cases, in each instance at a price of one (1) dollar a case higher than they had previously bought the same products from the distillery represented by the Tama company, and there had been no corresponding increase in the distillery price. (653) The extra dollar in price went entirely to the Western Distributing Company. (665)

M. W. Hyland was asked to, and did contribute one thousand (1,000) dollars to E. J. Feuling, Democratic state chairman, for the state campaign fund (659), but his statement is that this had no connection with the formation of his wholesale company, and sales by it to the commission. (.....)

The commissioners knew, before the wholesale license was issued to the Tama company, that liquor purchased from that company would be one (1) dollar per case higher than the price at which they could purchase the same directly from the distillery as price quotations thereof had been theretofore made to the commission by Mr. Hyland. (668, 674, 732)

The Western Distributing Company has been paid for one (1) carload of liquor purchased through it at the price increase of one (1) dollar per case, but payment of the remaining three (3) carloads has not yet been made. (.....)

Upon learning of the above situation, Governor Clyde L. Herring directed a letter to Mr. Cooper, chairman of the Iowa liquor control commission, demanding that such practice cease. (.....)

CONCLUSIONS:

There was no valid reason why the Iowa liquor control commission should have ceased its direct purchase of liquor from the Century Distilling Company, and then purchase the same merchandise from the Western Distributing Company at an increase of one (1) dollar per case, all of which increase inured to the benefit of the last named company.

The commission should accordingly be directed to retain the sum of one (1) dollar per case, representing the increase in price over the distiller's price to the commission, a total of four thousand one hundred (4,100) dollars, from the amount still due to the Western Distributing Company, and as yet unpaid. In this manner, the commission can bring the price of the liquor so purchased, to the level at which it could have been secured directly from the distiller.

In knowingly making said purchases at the increased rate, the commission not only seemingly departed from the realm of good business, but it is believed the commissioners, and each of them (as each commissioner signed the purchase orders), laid themselves liable to a charge of maladministration in office, within the purview of the statutes concerning the removal of public officers, found in chapter fifty-six (56), Code of Iowa, 1931.

IN RE: LEASE OF "MULBERRY" BUILDING. FINDINGS OF FACT:

On the 6th day of April, 1934, the Iowa liquor control commission entered into a lease with the Mulberry Realty Company, covering the premises now occupied in Des Moines by said commission, its warehouse, executive headquarters, and store number one (1), for a period of five (5) years from May 1, 1934 to May 1, 1939, with the option of renewal for a like period, with the right to cancel the same in case the Iowa liquor control act was repealed or amended, so as to make further use of the leased premises unnecessary. (Exhibit "X-14," page 1004) The lease was signed by each member of the liquor control commission on behalf of said commission, after consultation with Governor Herring and without securing the advice or approval of the executive council (968), although section six (6) of the Iowa liquor control act provides that quarters for the commission shall be furnished by the executive council.

The rental agreed to be paid was two thousand (2,000) dollars monthly in advance for the first two (2) years, and two thousand five hundred (2,500) dollars monthly in advance for the next three (3) years of the lease, and the same rental for the optional period of five (5) years in case of exercise of the said option. (Exhibit "X-14," page 1004)

In order to adapt the building to the needs of the commission, improvements and alterations were made at a total cost of fifty-eight thousand three hundred forty-two (58,342) dollars and eleven (11) cents, which were paid for by the commission (987-997; Exhibit "X-40", p. 7). The cost of said improvements, prorated over the five year period of said lease, increases the average monthly rental cost of occupancy of said premises to about two thousand nine hundred seventy-two (2,972) dollars for the first two years of the lease, and to about three thousand four hundred seventy-two (3,472) dollars for the next three (3) years thereof. The total cost of rental for said premises, and the improvements already made by the commission, will total one hundred sixty-six thousand three hundred forty-two (166,342) dollars and eleven (11) cents for the said five (5) year period.

Prior to the acquisition of the said building by the said liquor commission, it was used principally as a garage, and headquarters for wholesale automobile accessories. The second floor thereof has now been admirably fitted for offices, and the first floor thereof has been transferred into a combination warehouse and retail storeroom, the latter being occupied by Iowa liquor store number one (1).

Before entering into the said lease, the commission inspected five or six other possible sites in Des Moines which could have been rented at a

figure much lower than the "Mulberry" building, but, according to the commissioners, none of said buildings was found suitable, for various reasons. The building owned by Crane & Company apparently most nearly met the requirements of the commission next to the "Mulberry" building. That building could have been rented for six thousand (6,000) dollars per year and taxes of three thousand two hundred thirty (3,230) dollars and thirty-five (35) cents, making the rental about seven hundred seventy (770) dollars per month, but the building was only about one-half as large as the "Mulberry" building. (957) It was the final conviction of the commission that the "Mulberry" building was the only one which combined all of the qualities and facilities needed for the purpose to which it was to be put. (995-966)

The commission is apparently supported in its selection of the said building and the rental paid therefor, by the testimony of Arthur S. Kirk, a Des Moines real estate man, familiar with rentals of similar nature, with eighteen (18) years' experience in that line, although in the questions put to Mr. Kirk, inadvertently, he was not informed of the sum of over fifty-eight thousand (58,000) dollars which was necessary to fit the building for occupancy. His statement was that he felt that the lease was a fair one, under all circumstances, for all parties concerned, and site rentals of a comparable nature. (998-1003)

There is, of course, no positive way of knowing what Mr. Kirk would say had he known the cost of improvements necessarily made upon the "Mulberry" building, increased the cost of occupancy of the building approximately nine hundred (900) dollars per month, but in the light of his testimony, it would be a reasonable inference to say that his opinion probably would be that the rental was too high.

CONCLUSIONS:

It may be that, all facts and circumstances considered, the large rental agreed to be paid for the "Mulberry" building, may be justified, and the lease thereof be defended. However, it is believed there is considerable doubt as to the legality of the said lease, based on the statements hereinafter set forth.

Section six (6) of the Iowa liquor control act, states, in part, as follows, to-wit:

"* * * the executive council of the state of Iowa, shall provide suitable quarters or offices for the Iowa liquor control commission in Des Moines, Iowa."

Section seven (7) of the Iowa liquor control act, provides, in part, as follows, to-wit:

"The commission shall have the following functions, duties and powers:

* * * * *

(d) To rent, lease, and/or occupy any building, or any land, necessary to carry out the purposes of this act."

It is one of the elementary rules of interpretation of statutes, that the legislature, by which the statute was enacted, inserted every word contained therein for some purpose, and that if at all possible under any theory, every word and phrase must be given some meaning con-

sistent with the context of that with which it appears. This is too well known to require the citation of authority therefor.

It may be argued that section seven d (7d) of the act, gives the commission the right to lease its own quarters, as it provides under said section, that the commission has the right to "rent, lease, and/or occupy any building * * * to carry out the purposes of this act." However, attention is called to the order in which these sections appear in the statute, and to the context thereof. Section six (6), of course, appears first in the act, and, without reservation, charges the executive council of the state of Iowa, with the duty of providing quarters for the commission in Des Moines.

The act then proceeds in the following section (section seven (7)), to define the duties and powers of the commission, and after setting out its power to establish stores, it grants the right to lease and equip buildings to carry out the purpose of the act.

Obviously, what the legislature had in mind in section seven d (7d) was, leasing and equipment of buildings for retail liquor stores. It could have contemplated nothing else, as the statute, prior to the last named statement, had already provided, without reservation, that the executive council furnish quarters for the commission in Des Moines.

It is accordingly believed that the executive council of the state of Iowa, is the only body which had, or has, authority to provide the commission with quarters and offices in Des Moines, and that as the said council had no part in the execution of the said lease, and did not enter into it as a party, or, as far as the record of this committee shows, ever acquiesced in it, the said lease appears to be void, insofar at least as it furnishes quarters and offices for the commission in Des Moines.

It is accordingly suggested, that suitable steps be taken at once to secure a legal decision as to the validity of the said lease.

IN RE: J. H. COLLINS, FONDA, IOWA. FINDINGS OF FACT

J. H. Collins of Fonda, Iowa, was nominated at the primary election in June, 1934, as Democratic candidate for state representative from Pocahontas county. (691) One Marion Bruce of Rolfe, Iowa, member of the legislature in the Forty-fifth General Assembly of Iowa, (693), and one Jens Thompson, were opposing candidates for the same position in the Republican primary, in which contest Thompson was successful.

In September, 1934, Mr. Bruce was, by petition, nominated as an Independent candidate for the said office, (691), and was assured a place on the ballot at the November election, thus making a three-cornered contest, with Bruce, the Independent, Thompson, the Republican, and Collins, the Democrat, as the opposing candidates.

On September 24, 1934, one George Day, who claimed to be from the state auditor's office, arranged to meet Mr. Collins at the office of Frank P. Hogan at Fonda. They met there, and Collins was told by Day that a "job" was awaiting him with the liquor control commission if he (Collins) would withdraw from the Democratic ticket, so that Marion Bruce could become a Democratic candidate, by change of his party affiliations. (692)

Collins refused to agree to this, whereupon Day called H. M. Cooper, chairman of the Iowa liquor control commission, in Collins' presence, and reported the result of his interview. (693)

Later, at the request of J. H. McMichael of Pocahontas, Democratic chairman of Pocahontas county, and at the suggestion that he had a proposition to make to him, Collins called upon McMichael on September 25, 1934. There he met Tobe Diamond of Sheldon, Iowa, (694), who told him he had been sent by "headquarters in Des Moines" to consummate Collins' withdrawal in favor of Bruce. (695) Diamond insisted that Collins call H. M. Cooper at once, "and assure him that everything was settled", but Collins remained non-committal.

Collins returned to Fonda, had a set of ear phones placed on his telephone, and secured Miss Mabel Kenning (696) to take a stenographic report of the conversation to ensue. Collins then called H. M. Cooper, chairman of the Iowa liquor control commission, on the telephone at Des Moines, and a conversation ensued (697) wherein Cooper asked him to withdraw from the political race, so Bruce could go on the Democratic ticket, and he (Cooper) offered Collins a position with the liquor commission "to equalize things" for his withdrawing from the political race. Mr. Cooper also told Mr. Collins he had talked the matter over with Marion Bruce, E. J. Fueling, and Chas. B. Murtagh, state comptroller, and it was satisfactory with them. (700-702)

When confronted with the testimony of Collins, and Miss Kenning, who took the telephone conversation in shorthand, Mr. Cooper readily admitted the foregoing conversation, and the transaction with Mr. Collins, (714-721), and said he offered him the "job" at the request of E. J. Fueling, Democratic state chairman, and Chas. B. Murtagh, state comptroller, and that they had also talked to Marion Bruce about it. (722)

CONCLUSIONS

Section five (5), paragraph two (2), of the Iowa liquor control act, provides, in part, as follows, to wit:

"No member * * * of the said commission shall, while holding such office * * * directly or indirectly use his influence * * * to favor any particular candidate for office, nor shall any such member * * * contribute in any manner, directly or indirectly, in * * * things of value to or for any person or persons, committee or committees, for campaign or election purposes. Any such member * * * who violates any of the terms and/or provisions of this subsection two (2), shall be deemed guilty of corruption."

Paragraph three (3) of the same section of the Iowa liquor control act, provides as follows, to wit:

"Any member * * * of said commission shall be removable for any of the causes and in the manner provided by chapter fifty-six (56) of the Code of 1931, as amended, relating to removal from office; such removal shall not be in lieu of any other punishment that may be prescribed by the laws of the state of Iowa."

Section eighty-five (85) of the Iowa liquor control act, provides as follows, to wit:

"Any member * * * of the commission who shall knowingly or wilfully violate any provisions of this act, or knowingly or wilfully aid, assist or permit any such violation, shall be guilty of a misdemeanor, and be punishable by a fine not to exceed one thousand (1,000) dollars, nor less than three hundred (300) dollars, or by imprisonment in the county jail not less than three (3) months, nor more than one (1) year, or by both such fine and imprisonment."

Section one thousand ninety-one (1091), which is part of chapter fifty-six (56) of the Code of 1931, provides, in part, as follows, to wit:

"Any appointive * * * officer, except such as may be removed only by impeachment, holding any public office in the state * * *, may be removed from office by the district court, for the following reasons:

* * *

3. For corruption."

Under section one thousand one hundred fourteen (1114), Code of 1931, any appointive officer may also be removed from office by a majority vote of the executive council, for almost the identical grounds specified in section one thousand ninety-one (1091), Code of 1931, included in which grounds is "corruption."

Section thirteen thousand one hundred sixty-two (13,162), Code of 1931, contains the following provisions, to wit:

"If any two or more persons conspire or confederate together * * * to do any illegal act injurious to the public trade, health, morals or police, * * * they are guilty of a conspiracy, and every such offender * * * shall be imprisoned in the penitentiary not more than three (3) years."

Application of the foregoing statutes to the facts divulged in this investigation will lead any reasonable mind to but one conclusion with respect to the connection of H. M. Cooper, chairman of the Iowa liquor control commission, therewith, and that is that Mr. Cooper, by his own admission, is guilty of "corruption", under the express terms of section V (2) of the Iowa liquor control act.

Mr. Cooper is, accordingly, subject to removal from his office as a member of said commission under section V (3) of said act, and is also amenable to the action of the courts with respect to his violation of the Iowa liquor control act, as set out in section eighty-five (85) thereof, supra, the violation of which is punishable by either a fine or imprisonment, or both.

Attention is also called to the fact that the combined attempts of H. M. Cooper, E. J. Fueling, Chas. B. Murtagh, George Day, J. H. McMichael, Tobe Diamond, Marion Bruce, and perhaps others, to induce J. H. Collins to withdraw as a political candidate, in exchange for remuneration in the form of a position with the Iowa liquor control commission, to say the least, savors of a conspiracy to violate the provisions of section V (2) of the Iowa liquor control act, which, it is believed, comes within the provisions of section thirteen thousand one hundred sixty-two (13162), Code of Iowa, supra. If such a conspiracy be proven in a court of competent jurisdiction, those having any part therein

would, upon conviction thereof, be subject to the penalty prescribed by section thirteen thousand one hundred sixty-two (13162), Code of 1931.

Section one thousand ninety-one (1091), Code of 1931, provides for removal by the courts for practically the same grounds that removal can be ordered by the executive council. The petition for said removal may be filed by the attorney general, or by not less than twenty-five (25) electors of the state (section one thousand ninety-three (1093), Code of 1931), and "shall" be filed by the attorney general, upon direction of the Governor. (Section one thousand ninety-eight (1098), Code of 1931). The court before whom the petition is filed has the power to forthwith suspend from office the officer against whom complaint is made.

Under the facts in this record, the legislature should direct the executive council to take action against Mr. Cooper for removal on the facts shown in this record, or direct the Governor, under section one thousand ninety-eight (1098), Code of 1931, to forthwith require the attorney general of the state of Iowa to commence an action in the district court of Polk county, Iowa (section one thousand ninety-two (1092), Code of 1931), for the removal of H. M. Cooper from his position as a member of the Iowa liquor control commission, and the said attorney general should be directed and instructed to forthwith prosecute the same to a conclusion.

The county attorney of Polk county, Iowa, should be advised of the admitted violation of the law by H. M. Cooper, in connection with this matter, and of the apparent conspiracy to violate the law by the persons heretofore named in said connection. The said county attorney should be directed to forthwith proceed to inquire into the said alleged violations, as expeditiously as possible, to the end that if the law has been violated in any respect, those guilty thereof may be punished.

IN RE: OWNERSHIP OF "MULBERRY" BUILDING. FINDINGS OF FACT:

On November 25, 1916, Mose Cohen and Sidney Mandelbaum, owners of the fee title to lots five (5) and six (6), block thirteen (13), H. M. Hoxie's Addition, in the city of Des Moines, Iowa, leased the same, which at that time did not have the present building thereon, to C. L. Herring and the Herring Motor Company, for the term of twenty-five (25) years beginning January 1, 1917, with an option of renewal for an additional like period of years. (272) The said lease also contained a provision for the erection of a building on said premises, and the said Cohen and Mandelbaum agreed to join in the execution of a mortgage not in excess of one hundred thousand (100,000) dollars upon said real estate and the building to be erected thereon, the said Cohen and Mandelbaum, however, to sustain no personal liability by reason of the execution of said mortgage. (273) There was also included in said lease a stipulation to the effect that "if first parties (Cohen and Mandelbaum) do not elect to purchase buildings at the expiration of said lease, second parties (Herring and Herring Motor Company) may remove the same." (Abstract of Title No. 4695 of Bankers Trust Company)

Subsequently, and on or about the 27th day of June, 1917, the Herring

Motor Company assigned all interest in said lease to C. L. Herring. On June 28, 1917, Sidney Mandelbaum, Mose Cohen and C. L. Herring, and their respective spouses, executed the delivered to the Equitable Life Insurance Company of Iowa, a mortgage upon said premises in the sum of one hundred thousand (100,000) dollars. The building now on said real estate was subsequently erected at a total cost of two hundred thirty-two thousand six hundred seventy (232,670) dollars and forty (40) cents, one hundred thirty-two thousand six hundred seventy (132,670) dollars and forty (40) cents of which was paid by C. L. Herring. (326)

On March 12, 1925, a mortgage for one hundred thousand (100,000) dollars was given to the same Des Moines insurance company, by the same persons who executed the original mortgage of the same amount, which prior mortgage was released of record on April 3, 1925. On August 20, 1930, the mortgage of March 12, 1935, was extended in writing, signed by Herring Motor Company, and Clyde L. Herring and wife. It was not signed, however, by the mortgage insurance company. (301)

On or about the 22nd day of July, 1931, the said C. L. Herring being in arrears on ground rent, interest and taxes on said property (317), an agreement in writing (Exhibit "H", pages 332-339) was executed by Mose Cohen and Estelle W. Mandelbaum, and the Herring Motor Company and Clyde L. Herring and wife, whereby the latter made a conditional assignment of their lease to the former, of the ground upon which the building is situated, subject to the payment of delinquencies aggregating over sixteen thousand (16,000) dollars, within one year subsequent to the last named date, in which event the Herring Motor Company and Clyde L. Herring would be restored to their former status as owners of the said lease. (335-337) It was further provided in said agreement, that in case said assignment became absolute, "all buildings and improvements on said leased premises shall be the property of said parties of the first part," that is the property of the owners of the ground upon which the building is situated. (336)

The said agreement (exhibit "H", pages 332-339) also provided that if the assignment of said lease remained in full force and effect, "parties of the first part (Cohen and Mandelbaum) agree to assume and pay said mortgage, but reserve the right to have the time of payment extended from time to time, but will protect and hold said parties of the second part harmless from personal liability thereon." (338-339, 283, 321)

Payment of the amount called for in Exhibit "H," the conditional assignment, however, was not made, and the said conditional assignment was cancelled on July 18, 1932, (283), by a formal cancellation being endorsed thereon and signed by all the parties thereto. (Exhibit "H", pp. 332-339) On the last named date, a formal assignment of the said lease was made by the Herring Motor Company and C. L. Herring in blank, and accepted in writing by the Mulberry Realty Company (319), a corporation organized to take over said lease (277). The said formal assignment, however, made no mention of the building and improvements on the

said premises, but in the same the Realty Company assumed and agreed to pay the mortgage thereon. (Book 1176, p. 221, Office of the Recorder of Polk county, Iowa.)

On the 18th day of September, 1934, five thousand (5,000) dollars of the principal of the said mortgage was paid by the Mulberry Realty Company (295), and an extension agreement covering the balance of the said mortgage was entered into on or about the 7th day of November, 1934 (294), to which agreement neither Clyde L. Herring nor the Herring Motor Company were parties. The mortgage still retains a promissory note signed by Clyde L. Herring, and secured by the said mortgage (296), and considers him liable thereon. (297)

On the 6th day of April, 1934, the Iowa liquor control commission entered into a written lease with the Mulberry Realty Company, an Iowa corporation, whereby the said commission undertook to rent for a term of five (5) years the real estate and building hereinbefore described (Exhibit "X-14," p. 1004). The said building was subsequently occupied by the Iowa liquor control commission, and still is used as a central warehouse, executive headquarters, and by state liquor store number one (1).

In the conditional assignment by Clyde L. Herring of the lease of the ground upon which the "Mulberry" building now stands, it was agreed that Cohen and Mandelbaum were to assume and agree to pay the said mortgage, and would hold second parties (the Herring interests) free from liability thereunder, if the said conditional assignment or the said lease remained in full force and effect. (338)

The said conditional assignment, however, did not remain in full force and effect, as it was formally cancelled, in writing, signed by all the parties thereto, on the 18th day of July, 1932. (339) The formal assignment of the lease, made on the same day, makes no mention of the buildings or improvements upon the premises, but in the said assignment the Mulberry Realty Company agreed to pay the mortgage thereon.

It is believed that the legal effect of the cancellation of the conditional assignment of said lease, and the subsequent execution of an absolute assignment thereof, was, that the absolute assignment supersedes the conditional one in all respects, in much the same manner as a contract for the sale of real estate is merged in a deed made pursuant thereto. The formal assignment thus, apparently, released the promise of Cohen and Mandelbaum, individually, to pay the said debt, and substituted therefor the promise of the Mulberry Realty Company, a corporation capitalized for only two thousand (2,000) dollars.

It is thus apparent that the primary liability of C. L. Herring upon the one hundred thousand (100,000) dollar note secured by the mortgage has been assumed by the Mulberry Realty Company, insofar as Mr. Herring is concerned, and that Mr. Herring is still under the contingent liability to pay the said note, if it cannot be collected from the Mulberry Realty Company, unless he has been released from that liability by the extension of the said mortgage without his knowledge or consent.

His liability, however, was not released by that extension, as it has been held many times by the Iowa supreme court, that the extension of

time of payment of a mortgage to the assuming grantee, without the consent of the mortgagor, does not discharge the mortgagor from liability.

Iowa Loan and Trust Company vs. Haller, 119 Iowa, 645;

Blank vs. Michael, 208 Iowa, 402;

Herbold vs. Shelev, 209 Iowa, 384;

Hakes vs. Franke, 210 Iowa, 1169, 1176.

It is, accordingly, apparent that Clyde L. Herring was contingently on the note and mortgage, on the premises rented by the Iowa liquor control commission, at the time of the renting thereof, and still is liable thereon, and accordingly every dollar paid on the mortgage on the said premises relieves him from that much of his contingent liability.

Furthermore, it is not perfectly clear that Governor Herring is not the owner of an interest in the building which he erected on the said leased premises, and which is now occupied by the Iowa liquor control commission. His only interest in the ground upon which the "Mulberry" building stands, was that of a lessee thereof, under the lease of Mandelbaum and Cohen to himself and the Herring Motor Company, of which lease Governor Herring subsequently became the sole owner.

The said lease, exhibit "G", in all its terms, assumed ownership in Governor Herring of the building he built upon the premises, and provided for removal thereof if the lessors did not elect to buy the building "at the expiration" of the lease. The lease also provided that in case of a declaration of a forfeiture of the lease after ninety (90) days' notice thereof, "all right, title and interest of the parties of the second part (Herring) in and to this lease, or in and to the leased premises, or to the buildings and improvements thereon, shall cease and determine."

It will be remembered that there never was a declaration of forfeiture of said lease, so it is believed the last quoted provision never became operative. The provision of the conditional assignment of said lease to Cohen and Mandelbaum, (exhibit 11, p. 332) covering the ownership of the building on said premises, in case the assignment became absolute, likewise, it is believed, never became operative, as the said agreement was cancelled and the assignment never did become absolute. An entirely different assignment was made and accepted by parties other than the grantee in the conditional assignment, the said absolute assignment making no mention whatever of the buildings or improvements on the leased premises.

The assignment made by Governor Herring to the Mulberry Realty Company was, by the terms thereof, an assignment only of his leasehold interest, and merely conveyed his right as lessee in the said lease. If there has been any conveyance of the building and improvements to the Mulberry Realty Company, it must obviously be because of the assignment of the said lease, as that was the only transaction concerning the property which Governor Herring had with the Mulberry Realty Company, according to the records of this committee. It is extremely difficult to see how any assignment of a lease of this nature can carry with it the ownership of a building erected on the leased premises.

It may be true that Governor Herring, and the Mulberry Realty Com-

pany, assumed that the said assignment of lease carried with it the entire interest of Governor Herring in the building. However, it is submitted that the claim thereon, or interest therein, still apparently held by Governor Herring, appears to be such as to, at least, cast a serious cloud and doubt upon the absolute right of the Mulberry Realty Company to the said building.

IN RE: SALE OF UNSTAMPED AND UNTESTED LIQUOR
FROM THE COUNCIL BLUFFS STORE. FINDINGS
OF FACT:

Certain liquor seized by the state and taken by the commission in the "settlement" of its case against the Old Time Liquor Company at Council Bluffs, Iowa, was taken to the Council Bluffs state liquor store, apparently for resale.

On September 8, 1934, Commissioner Lane wrote and dispatched a letter (exhibit "X-10.1", 937/6) to Charles H. Larson, manager of the Council Bluffs liquor store, advising him that it was his and Mr. Manley's opinions, that part of the said liquor, similar to that which the store was handling, "should be placed in your stock and disposed of in the regular way." The other liquor, he was told in the letter, should be disposed of as rapidly as possible, and he was asked his opinion as to the prices at which it should be sold.

On September 11, 1934, Commissioner Manley wrote and dispatched a letter (exhibit "X-9.1", p. 937) to Mr. Larson at Council Bluffs, setting out the prices at which he could sell certain of the confiscated liquor, the letter including the statement that he had ascertained the distillers had two (2) labels, "so the chances are that this merchandise is genuine."

On September 10, 1934, and prior to the time he received prices at which to sell the confiscated liquor, the manager of the Council Bluffs store, Mr. Larson, sold one case of "Windsor Club Gin" to one H. D. McAtee, a beer parlor operator, for \$9.25. (930, and Exhibit "X-11-a" 941). This sale, however, was not reported by Mr. Larson to the commission until March 15, 1935, and after an investigation had been made by Mr. Frank Johnson, an auditor from the state auditor's office. (940)

An examination of the liquor thus seized and taken to the Council Bluffs store for resale, raised serious doubts, at least, as to the genuineness of much of it, including the gin, one case of which has been sold. (930-931) The case of liquor which was sold from this confiscated stock was not chemically analyzed prior to the sale thereof, and none of the bottles bore any Iowa liquor stamps. (936-937)

An action was commenced against the commission shortly after the sale of this case of confiscated liquor, to enjoin the commission from selling the same, on the ground that it had no authority to take the liquor which had been confiscated and dispose of the same.

On April 19, 1935, and subsequent to the close of testimony herein, Judge Tinley, of the district court of Council Bluffs, entered an order upholding the plaintiff's contention, and ruled that the commission had no right to dispose of the liquor thus taken, and that the same should be

turned over to the local sheriff for disposition, in accordance with the established law.

CONCLUSIONS:

Section fifteen (15) of the Iowa liquor control act, provides as follows:

"No alcoholic liquor shall be sold to any purchaser except in sealed container, with the official seal or label prescribed by the commission. * * * Such seal or label * * * must be attached and sealed to all liquor sold in the state of Iowa."

Section nineteen hundred ninety (1990), Code of Iowa, 1931, provides that upon forfeiture of any intoxicating liquor, the same shall be disposed of "(1) by ordering the distribution thereof; or (2) by ordering any portion thereof, consisting of alcohol, brandies, wine, or whisky, to be delivered for medical or scientific purposes to any state or reputable hospital in the county, or in adjoining counties, or to the board of control of state institutions."

It is obvious from the foregoing, that although the liquor taken from the Old Time Liquor Company, by virtue of the alleged "settlement" of the search warrant proceedings against the company, was not actually condemned by the court, still it was taken by virtue of the statutes under which the search warrant was issued. It is accordingly submitted that the only disposition that could be made of the liquor so seized, was in conformity with section nineteen hundred ninety (1990) of the Code of 1931, and the commission in attempting to dispose of the liquor in any other manner, was, apparently, acting without authority of law.

Obviously, if the commission had no right to take and receive the liquor in that manner, it had no right to sell it (as has just been held by Judge Tinley). By ordering Charles H. Larson, manager of the Council Bluffs store, to sell the confiscated liquor, without instructing him to affix the Iowa seals thereto, and without analysis thereof for the protection of the public, both Commissioner Manley and Commissioner Lane appear to have violated section fifteen (15) of the liquor control act, and are amenable to the punishment prescribed in section eighty-five (85) of said act.

Charles H. Larson, the Council Bluffs store manager, likewise, in selling the said liquor without the Iowa seals thereto attached, has obviously violated the same sections of the act.

The county attorney of Polk county should be instructed to inquire into this apparent violation of the law by Commissioners Manley and Lane, to the end that justice may be had in the premises, and the county attorney of Pottawattamie county should be given similar directions as to the part which Charles W. Larson, of Council Bluffs, played in the said transaction. In addition, the commission should be directed to mete out to Mr. Larson appropriate discipline for his act.

IN RE: STATE OF IOWA vs. GLOBE, INC. FINDINGS OF FACT:

Some time shortly after the organization of the Iowa liquor control commission, it granted wholesalers' license No. 1 to Globe, Inc., of Sioux

City, Iowa, upon the posting of a one thousand (1,000) dollar bond by said company, as by law required. Subsequently, and without authority under said license, it established a wholesale warehouse at Council Bluffs, Iowa. (815)

In August, 1934, an agent of the law enforcement division of the commission bought two cases of liquor from the Globe, Inc., at Council Bluffs (796), and on that evidence of illegal sale, the liquor stock of said company was seized, under search warrant proceedings, about August 20, 1934. (799-800) About twelve hundred sixty-eight (1268) full cases, and one hundred thirty-six (136) odd bottles of liquor were included in that seizure (800-801), none of which bore the Iowa liquor seals. (800)

On or about the same date, upon similar evidence of law violation, a seizure, under a search warrant, was made of the stock of the Globe, Inc., at its place of business at Sioux City, (814) where a large amount of liquor was taken. The total value of the liquor seized from the Globe, Inc., at Sioux City and Council Bluffs, was from twenty-three thousand (23,000) dollars to twenty-six thousand (26,000) dollars. (840)

The license of the Globe company was revoked, by action of the commission, on August 2, 1934, which action subjected the bond of the company to forfeiture. (815)

Subsequently, Leslie E. Francis, legal adviser for the commission, fearful of being able to sustain the seizures, under the law as it existed (817), and not electing to try out the issue with the offending company, and others who claimed liens upon the liquor seized (816, 823), recommended to the commission that the matter be settled. (825, 826)

Under a stipulation entered into by the parties, and approved by the commission (837), all of the liquor, valued at over twenty-three thousand (23,000) dollars, then held under seizure by the state of Iowa, was released, except two thousand five hundred (2,500) dollars worth thereof, which was segregated for the commission (826), and by the commission sold back to the former owners, or the holders of liens upon the said liquor. (827) Payments therefor were made in installments, and the entire two thousand five hundred (2,500) dollars has been paid to the Iowa liquor control commission. (828)

Although the record is not clear, it is apparent that this liquor was sold to one Morris Milder of Omaha, who had some connection with Globe, Inc. (833), and who was interested in the General Liquor Sales Company, which was granted a wholesaler's license (834) after the Globe company matter was adjusted. (831-34) This settlement was a settlement in full of all claims of the state of Iowa against the seized liquor, valued at over twenty-three thousand (23,000) dollars, and settlement of the one thousand (1,000) dollar penalty of the bond given as a prerequisite to securing the wholesale license.

It was admitted by Mr. Francis, that the taking of the seized liquor in this manner by the commission was without authority, statutory or otherwise, or precedent, but was done rather than have it handled in the statutory manner, that is, either destroyed or turned over to a public institution for use. (826½)

CONCLUSIONS:

It is obvious that the settlement of the Globe, Inc., seizures, in the manner set out above, was wholly without precedent. The Globe company was either entitled to have all of its liquor returned, or to have none of it. To have settled the technical question of the right of the state, under the search warrant statutes, by trial of the matter at the time of the said seizure, would have been of material value to the state. If the state had been sustained in its seizures, it would have settled any doubt in the future; whereas, if the defendants prevailed, the present session of the legislature could have remedied the defects.

The whole situation savors of the exacting of a tribute from proven law violators, and in return for the tribute, returning to them valuable merchandise, to which the state of Iowa had an absolute right under the seizure, if the seizure had been upheld.

IN RE: STATE OF IOWA VS. HAMMOND LIQUOR COMPANY,
ET AL. FINDINGS OF FACT:

License No. 4, to engage in the wholesale liquor business, was issued by the Iowa liquor control commission some time in the early summer of 1934 to one Charles W. Hammond, of Omaha, Nebraska, granting to him authority to conduct such a business at Council Bluffs, Iowa. The business was opened and conducted in the name of "Hammond Liquor Company." (753)

In August, 1934, agents of the Iowa liquor control commission, upon receiving complaints of violations of the liquor act, secured certain evidence of illegal sales of liquor by the said company from its Council Bluffs warehouse (754, 756), seized the liquor therein contained, consisting of five hundred fifty (550) cases of various liquors (758), under a search warrant issued out of the municipal court of Judge J. L. Blanchard, at Council Bluffs.

Under Regulation 3, adopted by the commission on the 20th day of May, 1934, and also under Regulation No. 16, later adopted by the commission, wholesale licensees could legally sell liquor only to customers outside the state of Iowa who had a legal right to buy, transport and possess liquor in the state into which the liquor so purchased was taken. (Exhibit "X-45") It was ascertained that a number of the alleged non-resident purchasers of liquor, as shown on the records of the said company, were fictitious. (756)

Subsequent to the seizure of the liquor owned by the Hammond Liquor Company, Leslie E. Francis, legal adviser for the commission, made a written report thereon advising of the situation, and recommending the cancellation of the license, and forfeiture of the wholesaler's bond. (777) On August 22, 1934, the commission ordered revocation of the Hammond wholesale license. (778)

Various attempts were then made to cause the case against the Hammond company and Charles W. Hammond to be dropped, the liquor under seizure restored to them, and the license reinstated. Hammond, himself, came to Des Moines to see Mr. Francis. One Tom Murphy, of the United

States National bank of Omaha, Nebraska, came to intercede for Hammond, asking that the case be dropped, although he admitted Hammond was a bootlegger. (759) Lieutenant Governor Kraschel went to Francis, stated he knew Hammond, that he believed he was "an honorable citizen", and asked that the case be dismissed. (762) Hugh Finerty of Council Bluffs, an attorney, who represented Hammond, wrote Francis demanding dismissal of the case without cancellation of the license, saying: "I wish you would discuss this case with Governor Herring, as he is familiar with all phases of this matter." (763)

Although the commission had been previously advised of the violation of its rules by the Hammond company, and of the investigation that had been made thereof (775), demand was made of Mr. Francis by the commission that he dismiss the case against the Hammond company. (766-768) Francis remonstrated, but the commission still insisted on dismissal. (768) On September 21, 1934, at a meeting of the commission, upon a motion put by Commissioner Manley, seconded by Commissioner Lane, and unanimously adopted, Mr. Francis was instructed to dismiss the case. (781, 782) This, Francis refused to do, and thereupon withdrew his appearance from the case. The commission requested that he recommend dismissal, but he also refused to do this. (769) In spite of its duly adopted regulations to the contrary (Exhibit "X-45", regulations 3 and 16), Francis was told by the commission that there should be no interference in sales from Iowa licensed wholesale dealers to persons outside the state of Iowa, whether or not those persons had the legal right to buy or possess liquor. With this, Francis again disagreed. (773)

On September 26, 1934, with all members present, the commission unanimously reinstated the wholesale license of the Hammond company (779-780), and the five hundred fifty (550) cases of seized liquor were released to the said company. (780) Mr. Francis reported the situation to Governor Herring, and to Walter F. Maley, assistant attorney general (783), for the reason that the Governor had previously directed him to proceed against the Hammond company, and had instructed Mr. Maley to assist. (784)

Subsequently, Municipal Judge Blanchard, "upon motion of H. M. Cooper, chairman of the Iowa liquor control commission", dismissed the case of "State of Iowa vs. Hammond Liquor Company, C. W. Hammond, et al." The costs thereof were assessed against the state of Iowa, and all property taken under the said proceeding was ordered returned. (791)

The Hammond Liquor Company, whose license was thus reinstated, is still engaged in violating the law of the Iowa liquor control act, according to the record. (1488-1491)

An investigation at Council Bluffs fails to reveal any consideration passing to anyone for the dismissal of the said case.

CONCLUSIONS:

It seems apparent that the Iowa liquor control commission, instead of acting upon the advice of its legal counsel, whose advice was first

taken, as to revocation of the license of the Hammond Company, and with no other information before it, suddenly, and for some unaccountable reason, had a change of heart. Thereupon, the license was reinstated, the seized liquor returned, and an attempt was made to dismiss the case.

The commission, having on the 20th day of May, 1934, adopted a rule (regulation 3 (3), and later regulation 16 (2)), under authority of the statute giving it such power, to the effect that sales from Iowa licensed wholesalers to persons where sale or possession was illegal, (Exhibit "X-45"), were deemed illegal sales, is in the unenviable position in the Hammond case, of having broken its own rules.

It was the evident intent of the legislature, which adopted the liquor control act, that rules and regulations adopted by the commission under section eight (8) thereof, have the same force and effect, and are enforceable in the same manner as the other portions of the act. If that be the case, in violating the above designated regulations, each member of the commission has violated section eighty-five (85) of the liquor control act, which specified that such violation shall be punishable by a fine or imprisonment, or both, and the said commissioners are amenable to a proper action for their removal.

IN RE: OLD TIME LIQUOR COMPANY AND HARRY PROJANSKY. FINDINGS OF FACT:

At the time seizures were made at Council Bluffs of the stock of the Globe, Incorporated, seizure was also made under a search warrant, upon evidence of illegal sale, of the liquor stock of the Old Time Liquor Company of Council Bluffs, of which one Harry Projansky was either president or manager. This company had previously been licensed as a wholesale liquor dealer, by the Iowa liquor control commission. (895) There was a total of approximately two hundred twenty-three (223) full cases, and a number of odd bottles, of liquor seized and impounded, and notice of forfeiture thereof was served on the alleged owners. (898) The violation upon which the seizure was made, that is, illegal sale of two (2) cases of liquor, was admitted by the company. (900)

A so-called "settlement" was made in this case, by which "settlement" the Iowa liquor control commission, in payment of the forfeited one thousand (1,000) dollar bond which could have been collected (906), and as a compromise for having illegally sold liquor, accepted approximately forty-three (43) cases of the liquor under seizure. (903) The value of the said liquor was assumed to be two thousand (2,000) dollars (906), and the balance thereof, valued at about two thousand (2,000) dollars, was released from the search warrant proceedings and surrendered to the company, and the company's license revoked. (Exhibit "X-9", p. 908) This "settlement" was proposed by Leslie E. Francis, the legal adviser for the commission, and approved by the commission. (914) The liquor thus secured by the commission, was turned over to the Council Bluffs store (92) for resale.

Subsequently, and after the sale of one (1) case thereof, as heretofore shown in a separate division of this report, an injunction was secured

against the commission, preventing further sale of the liquor, on the ground that there was no provision in the statute whereby it could take the liquor in that manner. Just recently, Judge John P. Tinley of Council Bluffs, has held that the commission had no right to take the liquor, or sell the same.

CONCLUSIONS

The conclusions arrived at in the division of this report concerning the "settlement" with Globe, Incorporated, are pertinent hereto, and for the sake of brevity are not here repeated.

It might be added, however, that the alleged "settlement" in this case, is more flagrant than the one in the Globe, Incorporated, case, for the reason that there is no right under the Code, whereby liquor can be taken in this manner by the liquor commission, or anyone else, except a sheriff, under order of court.

IN RE: LEGAL DEPARTMENT OF THE IOWA LIQUOR CONTROL COMMISSION. FINDINGS OF FACT:

Leslie E. Francis, a Des Moines attorney, on or about March 10, 1934, at the request of Governor Clyde L. Herring, was employed by the Iowa liquor control commission as its attorney, or "legal adviser" as he is officially known, on the records of the commission. (1122, 1123) His salary was two thousand five hundred (2,500) dollars per year to January 1, 1935, and since that time has been on the basis of three thousand six hundred (3,600) per year. (1128)

On March 22, 1934, Edward L. O'Connor, attorney general of the state of Iowa, rendered a written opinion to Governor Clyde L. Herring, at his request, upon the question of whether or not the liquor control commission could legally employ legal counsel, and pay him from funds under its control. (Exhibit "X-26", pp. 1125-1127) The conclusion of the attorney general, as expressed in that opinion, was that the commission had no right or authority to "appoint legal counsel to represent their commission, and that the legal representative of said commission is the attorney general of the state of Iowa." (1127) The members of the commission had knowledge of the said opinion, although it was not specifically addressed to them. (1124)

In spite of the said opinion of the attorney general, the commission has retained Mr. Francis on the payroll as "legal adviser", and he is still acting in that capacity. He is in fact acting as attorney for the commission. He renders opinions to the commission, however, in an advisory capacity only (1123), and the commissioners rely upon the attorney general's office as their legal authority in all matters of importance. (1127, 1128, 1130) The attorney general and his assistants have rendered to the commission a large number of opinions, as shown by Exhibit "X-46."

Mr. Francis has testified many times before the committee, and at great length, part of which testimony has been in explanation of the work he has been doing for the commission. (1371-1395) There can be no

doubt that his work for the commission was in good faith on his part, and in the earnest prosecution of his duties as he saw them; however, for the reasons hereinafter set forth, there is no need to further discuss the situation.

CONCLUSIONS

Nowhere in the Iowa liquor control act, or anywhere else in Iowa statutes, is there found any authority whatever for the setting up of a legal department within the organization of the Iowa liquor control commission, nor for the employment of anyone as attorney, or legal counsel for the said commission.

The employment of Mr. Francis by the commission, has therefore been without any legal right or authority, and is contrary to the intent of the law in general, which constitutes the attorney general as attorney for the various branches of the state. The commissioners, therefore, should be directed to forthwith dispense with the services of Leslie E. Francis, and make no further payments to him.

In employing the said Francis, and in paying him from funds under their control, the said commissioners have committed an illegal act, which amounts to willful misconduct in their respective offices, and as such, constitutes grounds for their removal. (State vs. Garretson, 207 Iowa, 627)

IN RE: LAW ENFORCEMENT DIVISION OF THE IOWA LIQUOR CONTROL COMMISSION

Section eighty-seven (87) of the Iowa liquor control act provides that in every county the county attorney shall constitute "the head of the enforcement division for the Iowa liquor commission", and he is to have the aid of all peace officers in his county. No other provision is contained in the act, concerning law enforcement officers, or employment of special officers or employees, for that purpose.

However, early in the organization of the Iowa liquor control system, the commission employed W. W. Akers of Marshalltown, former chief of police at that place, as chief of the "law enforcement division" of the commission. (796) Mr. Akers originally had fifteen men working under him, but the number has now been reduced to eleven, the duties of these men being to assist in apprehending violators of the Iowa liquor control act. (804) None of these men, except Mr. Akers, holds a commission as a peace officer, in view of the fact that there is no authority for their employment as such, but they rely upon local officers to deputize them in proper cases.

Mr. Akers has rendered conscientious service in his position, and his efforts have shown results. A written statement to this committee shows that in the year his department has been in operation, seven thousand nine hundred eighty-six (7,986) investigations have been made, resulting in four thousand three hundred eight (4,308) raids, and two thousand seven hundred fifty-four (2,754) cases against liquor law violators. In these activities, cars and trucks of the value of fifteen thousand two

hundred (15,200) dollars have been confiscated and turned over to the proper authorities, stills and materials for illicit manufacture of liquor have been destroyed, of the value of forty-three thousand (43,000) dollars and eighteen thousand six hundred (18,600) dollars in fines have been collected by the state from liquor law violators, apprehended by his department, or with the assistance thereof.

According to the current operating statement prepared by Mr. Hoop, comptroller of the commission, for the first three (3) months of 1935, the present cost of the law enforcement division is approximately four thousand four hundred (4,400) dollars per month, being thirteen thousand four hundred eighty-two (13,482) dollars and five (5) cents for the first three months of 1935.

Obviously, if the state liquor monopoly is to be maintained inviolate, there must be strict enforcement of the law, in order to eliminate illegal competition, and the question of how that can be best attained is one for legislative action. If it is deemed best to retain the present enforcement division of the commission, adequate changes should be made in the law so as to provide for the creation of a law enforcement division under the liquor control commission, and to clothe the employees of that division with police authority, in order that they not be hampered in their work.

IN RE: LICENSES TO WHOLESALE LIQUOR DEALERS

The Iowa liquor control commission has issued, since its organization, ten (10) licenses to engage in the wholesaling of liquor within the state of Iowa. Of these ten (10), six (6) have given the commission trouble, in one way or another, five (5) have been cancelled, and there are now only five (5) outstanding. Of the five (5) still operating, four (4) have caused trouble, in one way or another.

A wholesale liquor dealer in Iowa has only two (2) legal outlets for his merchandise: "(1) the Iowa liquor commission; (2) citizens of other states, in whose state it is legal to transport and possess intoxicating liquor," the latter being in conformity with Regulations 3 and 16 of the Iowa commission.

Obviously, if a state authorizes purchase and possession of liquor by its own citizens, so as to make them eligible to purchase from an Iowa licensed wholesaler, under the above regulations, they can obviously buy liquor in their own state. Only one of the licensed wholesalers in Iowa has sold to the Iowa commission. From the fact that all, except one (1), of these wholesale dealers are located on the borders of the state, and from the past experience of the commission with bootlegging activities by former licensees, and present activities of certain of them (1486-1496), it is obvious that they always have been, and apparently always will tend to be, sources of trouble for the law enforcement officers of the state.

The Iowa liquor control act accords a state liquor monopoly, and a wholesale dealer is by no means a necessary part of that monopoly.

Section thirty (30) of the liquor control act apparently leaves little to the discretion of the commission in the matter of the issuance of

wholesale licenses, if the applicant can comply with the requirements laid down by the law. The legislature should repeal that section of the act providing for the issuance of wholesale licenses, and should direct the commission to revoke, or cancel, all outstanding wholesale permits, within sixty (60) days of the date of notification thereof. In the event any wholesale licenses expire at any time prior to the end of said sixty (60) day period, the commission should be directed to refuse to renew the same, and to refuse to issue any new licenses to wholesale dealers.

IN RE: METHOD OF PURCHASING LIQUOR.

It was the apparent intention of the legislature, in the enactment of the Iowa liquor control act, among other things, to in this manner make liquor available to the people of Iowa at a moderate price, at least at a price comparable with that of other like state monopolies, and the idea of making a profit therefrom was apparently secondary. To make it possible to sell liquor at a fair price, necessitates buying at the lowest possible rate.

It is a matter of common knowledge, that when the Iowa liquor control commission was about to make its initial purchase in the spring and summer of 1934, Des Moines was overrun with liquor salesmen and agents of wholesale liquor dealers, each trying to sell his wares to the commission. It is evident that these attempts naturally harrassed the commission, and in some instances may have given rise, on the part of disappointed salesmen, to stories concerning the commission, which stories had little or no foundation.

According to Exhibit "X-5," there are forty-one (41) liquor companies which have sold liquor to the Iowa liquor control commission, still maintaining an agent, or representative, in Iowa, the most of them situated in Des Moines. As shown by questionnaires secured from the employees of the said agents, some of them are paid on the basis of a salary and expenses, while others received their compensation in the way of a commission, with or without expenses.

There is one instance in the record, of a representative of one distillery being paid three (3) dollars per case "commission" for a domestic whisky (1437), two (2) dollars of which "commission" was charged to and paid by the Iowa commission, over and above the posted code wholesale price. In other words, the company included what was apparently regular commission of one (1) dollar per case in the code price, and added two (2) dollars per case on the agent's commission on Iowa sales for the purpose, as shown in the questionnaire signed under oath by the president of that distillery, of being for "missionary work to create a demand for our product in Iowa." (1436) In other words, the people of the state of Iowa, are paying for the advertising and missionary work done within the state, to further the interests of the said distiller.

There seems no valid reason why the sovereign state of Iowa, in the pursuance of the liquor monopoly authorized by its legislature, should be required to deal with agents, salesmen and middle men in purchasing its supply of liquor. The state of Washington set up a liquor monopoly

in January, 1934, much similar to that of the state of Iowa, and it is interesting to note what is said in its "first report" covering this matter to-wit:

"One of the first acts of the board in relation to liquor purchases was to adopt the policy of dealing direct with prime producers, insofar as it was possible. * * *

"In quite a few cases it was impossible to find the desired liquors except in the hands of the importers, and in a few cases in the hands of distributors who represented domestic distillers. During the course of the succeeding months closer connections have been slowly but surely brought about, with some startling results in the way of price reductions. An outstanding case being a brand of whisky that is well known in the state of Washington, that in a particular size originally cost the board forty-six (46) dollars per case and was subsequently purchased, when the local agent was eliminated, for thirty-seven (37) dollars per case." First Report of Washington State Liquor Control Board, p. 10.

If the state of Washington can lower prices by dealing direct with the producer, the state of Iowa can do the same thing. Accordingly, the commission should be directed to cease purchasing liquors through any local representatives, salesmen, or agents, and in every instance possible, should be instructed to buy directly from the producers. In addition to the price element, the elimination of local contact men, may bring about a more healthy atmosphere with respect to liquor purchases by the commission.

IN RE: LIQUOR STORE LEASES. FINDINGS OF FACT:

Before the commission could begin business in any town or city, it of course became necessary to locate and lease a building for that purpose. In the haste to open stores as rapidly as possible, and in certain inexperienced men handling some of the work in the early stages of the organization, naturally some mistakes were made in the location leased, and the rentals paid. (1232, 1242)

Mr. R. M. Cowan, who is now a real estate agent for the commission, in charge of arranging leases, testified, that in all but one instance the commission has accepted his recommendation of leases, and, with one exception, no attempt has been made to bring political pressure to bear on him to influence his decision. (1216)

At Ottumwa, Mr. Cowan and Commissioner Manley recommended and drew a lease for one-half ($\frac{1}{2}$) of a certain building, at one hundred (100) dollars per month. The commission refused to approve this (1221), on the ground that that part of the building was not subject to taxation, and ordered the leasing of the other identical half of the said building, for one hundred fifty (150) dollars per month (1217), for a five year period, cancellable after one (1) year.

Mr. Cowan testified, that steps were about to be taken to cancel certain of the excessive rental leases, if a reduction in rent could not be secured. The commission should be directed to take such action in all cases of excessive rent, except where there may be some extenuating circumstances.

IN RE: FAILURE TO TAKE ADVANTAGE OF TRADE DISCOUNTS.
FINDINGS OF FACT:

The Iowa liquor control act provided for the appropriation of the sum of five hundred thousand (500,000) dollars from funds in the state treasury, not otherwise appropriated, for the purpose of establishment of the Iowa liquor control system. (Section forty-three (43), Iowa liquor control act) However, the sum of one hundred ten thousand (110,000) dollars was all that was ever paid over to the commission from that appropriation. (863-864) With that amount the system was set up in conjunction with the credit allowed the commission from the various concerns from which liquor purchases were made.

The five hundred thousand (500,000) dollars appropriation was never anything but a book entry, as there never was "five hundred thousand (500,000) dollars back of that account." (865) The one hundred ten thousand (110,000) dollars which the commission was allowed to have, was actually paid from funds earmarked for other purposes. (866) If any larger amount had been paid, it would have been necessary to secure the money by issuing warrants and stamping them "unpaid for lack of funds", which warrants would then have drawn interest at the rate of five (5) per cent per annum, until called for payment. This would have been harmful to the credit of the state. (867, 869)

The one hundred ten thousand (110,000) dollars which the commission did secure, was returned to the state treasury about October 1, 1934 (845), at a time when the commission owed outstanding liquor purchase accounts in the sum of one million four hundred eight thousand one hundred forty-one (1,408,141) dollars and seventy-two (72) cents (851), upon the most of which accounts discounts from one (1) to two (2) per cent were available. (850) For some reason or other, subsequent to the returning of the one hundred ten thousand (110,000) dollars to the state treasury, the commission sought to secure more of the appropriated fund, by making a written requisition for two hundred thousand (200,000) dollars, which requisition was refused at least two different times in December, 1934 (864), and oral requests were refused subsequent to that time. (858)

There is no showing that there was any demand by the state treasurer for the return of the one hundred ten thousand (110,000) dollars, at or before it was rebated in October, 1934, and if the commission had retained said amount and used the same in discounting its unpaid bills, at an average discount of one and one-half (1½) per cent, it would have saved the commission one thousand six hundred fifty (1,650) dollars upon every turnover thereof. (851) The commission, in the latter part of 1934, secured an extension of the discount terms upon some accounts, but lost their discounts on others (851-852), as very few bills were paid within the discount periods thereof in 1934.

CONCLUSIONS:

It is apparent that criticism of the commission for not having used more than one hundred ten thousand (110,000) dollars of its appro-

priation is unfounded, but it is as clearly apparent that the commission is to be criticised for its repayment of its one hundred ten thousand (110,000) dollars, which had been granted it, when owing a vast amount of unpaid liquor accounts, by payment of which a discount of from one (1) to two (2) per cent could have been earned. The sum of one hundred ten thousand (110,000) dollars which was thus returned, upon a turnover thereof every ninety (90) days, would in one year, at a discount rate of one and one-half (1½) per cent, have saved the commission six thousand six hundred (6,600) dollars. Its failure to make that saving is indefensible.

IN RE: INVENTORIES OF LIQUOR.

The report of the state auditor of the affairs of the Iowa liquor control commission, as of September 29, 1934, shows that the total value of liquor on hand at that time was one million eighty-four thousand one hundred eighty-four (1,084,184) dollars and sixty-one (61) cents, of which five hundred thousand three hundred eighteen (500,318) dollars and eighty-three (83) cents was in retail store stocks, and five hundred eighty-three thousand eight hundred sixty-five (583,865) dollars and seventy-eight (78) cents was in the central warehouse. The operating statement of the comptroller of the commission, shows that on March 31, 1935, the total inventory of liquor stocks was one million five hundred forty-seven thousand eight hundred fifty-nine (1,547,859) dollars and eleven (11) cents of which four hundred twenty-six thousand six hundred one (426,601) dollars and twenty-four (24) cents was represented by the stocks in the retail stores, and one million one hundred twenty-one thousand fifty-seven (1,121,057) dollars and eighty-seven (87) cents was stock in the central warehouse. It is thus seen, that there was an increase in inventory of almost five hundred thousand (500,000) dollars, from September 29, 1934, to March 31, 1935, a period of six (6) months, all of which increase is reflected in the warehouse account.

It is fully realized that when the state liquor stores were first established, it was next to impossible for the commission to accurately determine the exact kind and quantity of liquor which would be purchased by the public, and as a result thereof purchases were made of brands and varieties which, in the light of subsequent experiences, would not now be made.

There may be some good merchandising reason for the increase of approximately half a million dollars in inventories in the six months subsequent to September 29, 1934, such as unusual price offers, or something of that nature, unknown to the committee, but it seems that the inventory as shown at the end of March, 1935, is excessive in a large degree. Every cut in the inventory, releases more funds to be used in the discounting of bills payable, thus saving money for the state.

By this time, however, the commission should be more thoroughly acquainted with the tastes and desires of the liquor consuming public, and it is recommended that the commission endeavor, as soon as possible, to use all reasonable effort to dispose of all slow or non-moving merchandise, even to the point of making drastic price reductions thereon,

if necessary to move the same. Henceforth the commission should exercise extreme caution in adding new lines of liquor to the present list, and thus keep inventories at an irreducible minimum.

IN RE: RETAIL LIQUOR PRICES.

One avowed purpose of the liquor control act was to eliminate the bootlegger, and this cannot be done by keeping the retail price of liquor so high that the average person cannot afford to buy from the state stores.

It is interesting to know that the state of Washington, which set up a liquor monopoly on January 29, 1934, and which is required, by reason of remoteness from many sources of supply, to pay more freight on liquor than the Iowa commission, still sells the same merchandise at a price substantially lower than that prevailing in the Iowa stores.

A comparison of prices charged on certain well known brands of whisky of identical quality handled by the states stores in both states, shows the following, to-wit:

Brand	Quantity	Washington Price	Iowa Price
James E. Pepper.....	qt.	\$4.00	\$4.50
" " " 	pt.	2.05	2.35
Hill & Hill.....	qt.	6.00	6.75
" " " 	pt.	3.15	3.40
Seagram's V O.....	qt.	4.20	4.80
" " " 	pt.	2.15	2.45
Old Crow	pt.	2.05	2.55
Old Hermitage	pt.	1.80	2.10
Four Roses	qt.	2.50	2.90
" " 	pt.	1.30	1.50
Paul Jones	qt.	2.35	2.75
" " 	pt.	1.20	1.40
Crab Orchard	qt.	1.55	1.80
" " 	pt.	.85	.95

It is plainly shown from the prices of the foregoing brands, which were picked at random from the respective price lists of the two states, that the Iowa prices are substantially higher than those of Washington.

It may be said in rebuttal that the cost of the merchandise to the Washington board may be lower, owing to the fact that they may ship the same by water, but for example an examination of the respective records of the Iowa commission and the Washington board shows that Iowa pays twenty-three (23) dollars and twenty (20) cents per case of quarts for Four Roses f. o. b. Des Moines, and Washington, twenty-four (24) dollars for the same merchandise, f. o. b. Seattle.

(Appendix A to first report of Washington state liquor control board, p. 49, Order No. 228.)

It cannot be said that the Washington liquor control board sold at these lower prices at the sacrifice of profit, as their first annual report shows a net profit of more than nine hundred thousand (900,000) dollars

in the first eleven (11) months of operation. The logical deduction from the above facts is that, for some reason or other, the business of the Iowa liquor control commission is not run as efficiently as that of the Washington state liquor control board. The commission should be instructed to practice economy in administration, wherever that is possible, to purchase liquor at the lowest possible rates, and to sell the same at as low a figure as will be consistent with good business.

IN RE: STORE BULLETIN NO. 22

Under date of November 1, 1934, Commissioner Manley, with the knowledge and consent of the other commissioners, prepared and caused to be sent to all retail liquor stores operated by the commission, store bulletin No. 22 (1113), which contained instructions as to how to avoid violations of the federal requirement that a sale of five (5) gallons or more of liquor at one time, constitutes a wholesale transaction, and a license fee of one hundred (100) dollars for each store would be exacted for selling in that quantity.

The instructions contained in bulletin No. 22 were explicit as to how to sell five (5) gallons, or more, to a purchaser "at one time." The instructions were to make up an order for less than five (5) gallons, enter it in the permit book, accept the cash therefor, and deliver the liquor, and then carry out the same transaction again and again, until the amount desired was purchased (1113-1114).

Section three thousand two hundred forty-four (3244), Revised Statutes of the U. S., provides as follows:

"Every person who sells, or offers for sale, * * * distilled spirits, wines or malt liquor, otherwise than as herein provided, in quantities of not less than five (5) wine gallons at the *same time*, shall be regarded as a wholesale liquor dealer."

Commissioner Cooper said there was no intention to violate the federal law by the giving of said instructions, and that the commissioners had talked to, and corresponded with, federal authorities concerning the same. (1115) One letter, Exhibit X-23, was produced from the federal government, but it merely set out the federal statutory provisions (1119). Mr. Cooper said Exhibit X-23 was one of the letters he referred to, but he thought there were others (1120), but none were produced.

It appears that bulletin No. 22 was an instruction as to how to escape the increased license necessary to be paid to the federal government by wholesale liquor dealers. It apparently violates at least the spirit of the federal statute, which is obviously a revenue measure.

The instruction given therein, possibly, does not violate the Iowa statutes, but might amount to a violation of some federal provisions, but the committee's counsel does not have the time to make a complete investigation as to the latter.

IN RE: CONVICTION OF H. M. COOPER, CHAIRMAN IOWA
LIQUOR CONTROL BOARD, IN THE DISTRICT COURT OF
LINN COUNTY, IOWA

Inasmuch as H. M. Cooper, chairman of the Iowa liquor control commission, has heretofore been convicted in the district court of Linn county, Iowa, of violating the Iowa liquor control act, in the alleged gift of certain Iowa liquor seals or stamps to one Farmer, no separate investigation thereof has been made by your committee, as the matter is already of public record.

It is understood that the executive council of the state of Iowa is withholding action against Mr. Cooper, in an ouster proceeding, pending the report of this committee, and the termination of Mr. Cooper's appeal from the said conviction. The legislature should instruct the executive council to proceed with the hearing on the said matter as expeditiously as possible.

IN CONCLUSION

The foregoing does not, of course, cover all the subjects concerning which there is testimony in the fifteen hundred eighteen (1518) pages of transcript of the evidence, but it is thought it touches upon the more important phases of the investigation.

There has been much testimony as to apparent attempts by those high in the political councils of both parties, to influence the sale of liquor to the commission, or in attempting to lead liquor dealers to believe that they could effect such sales. None of this evidence, however, leads directly to the commission; it merely illustrates the difficulties the members thereof have encountered from the outside.

I cannot let the occasion pass, without expressing my appreciation for the courteous treatment accorded me in the investigation by the members of the commission and the employees thereof; and in respect thereto, I want to particularly commend Mr. J. F. Hoope, Comptroller of the commission, for his valuable assistance with respect to his department.

I also wish to express my appreciation to the committee for its considerate treatment, under circumstances which at times were rather trying to all concerned.

I accordingly, as your legal counsel in said investigation, respectfully submit the foregoing report.

FLOYD E. PAGE, *Counsel for Investigating Committee.*

AMENDMENTS FILED

Amend Senate File 360 by striking from section three (3) all of lines 6 to 10 inclusive, and inserting in lieu thereof the following: "Thereafter, all net profits accruing from the administration of such lands shall be remitted to the state comptroller and set apart as a special fund subject to the requisition of the state executive council for the purpose of applying toward reimbursing the school district or districts in which such lands are located, as provided in chapter one hundred

twenty-five (125), acts of the Forty-fifth General Assembly, as amended by chapter forty-two (42), acts of the Extra Session of the Forty-fifth General Assembly. Fifty (50) per cent of any balance remaining thereafter shall be applicable for such purposes as the General Assembly may prescribe, and the remainder shall be paid into the temporary school fund of the counties in which such lands are located.

CAROLYN C. PENDRAY.

Amend the Calhoun amendment to Senate File 360, section two (2), by adding thereto the following:

"The valuation of said land for assessment and taxation shall be limited to the price at which same was purchased by the state conservation commission or any agency of the Federal Government."

L. T. SHANGLE.

Senator Wilson moved that the Senate recess until the fall of the gavel, which motion prevailed.

* * * * *

The Senate reconvened at the fall of the gavel, Senator Valentine presiding, at the request of President N. G. Kraschel.

THIRD READING OF BILLS

By unanimous consent granted Senator Shaw, the rules were suspended, House Files 248 and 249 were withdrawn from the sifting committee and called up for consideration.

House File 248, a bill for an act to legalize an election held in Norway township, Humboldt county, Iowa, on the 6th day of November, 1934, relating to the purchase and maintenance jointly with the incorporated town of Thor, Iowa, certain fire apparatus and equipment; to purchase real estate and build a building thereon jointly with said incorporated town and to levy a tax therefor, was taken up and considered.

The bill was read for information.

Senator Shaw moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 36:

Aschenbrenner	Dewey	Malone	Reese
Baldwin	Donohue	Mason	Shangle
Beardsley	Doze	McArthur	Shaw
Bell of Crawford	Geske	Meyer	Stevens of
Berg	Goetsch	Miller	Decatur
Billingsley	Grunewald	Millhone	Stevens of
Byers	Hush	Parker	Wapello
Calhoun	Husted	Patterson	Valentine
Chrystal	Irwin	Pendray	Wilson
Corwin	Knudson		

Nays, none.

Absent or not voting, 14:

Anderson	Elthon	Kimberly	Roelofs
Bell of	Fisch	Moore	Schmidt
Des Moines	Harrington	Mullaney	Stanley
Driscoll	Hopkins	Nelson	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 249, a bill for an act to legalize an election held in the incorporated town of Thor, Humboldt county, Iowa, on the

29th day of October, 1934, relating to the purchase and maintenance jointly with Norway township, certain fire apparatus and equipment; to purchase real estate and build a building thereon jointly with said township authorities and levy a tax therefor and issue bonds, was taken up and considered.

The bill was read for information.

Senator Shaw moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 37:

Aschenbrenner	Elthon	Mason	Shangle
Baldwin	Geske	McArthur	Shaw
Beardsley	Goetsch	Meyer	Stanley
Billingsley	Grunewald	Miller	Stevens of
Byers	Hopkins	Millhone	Decatur
Calhoun	Hush	Moore	Stevens of
Chrystal	Husted	Parker	Wapello
Corwin	Irwin	Patterson	Valentine
Dewey	Knudson	Pendray	Wilson
Doze	Malone	Reese	

Nays, none.

Absent or not voting, 13:

Anderson	Berg	Harrington	Nelson
Bell of Crawford	Donohue	Kimberly	Roelofs
Bell of	Driscoll	Mullaney	Schmidt
Des Moines	Fisch		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the conference report, concurred in the amendments contained therein and passed the following bill in which the concurrence of the Senate is asked:

Substitute for House File 214, a bill for an act establishing the general fund for the state of Iowa, for the biennium beginning July 1, 1935.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 517, a bill for an act relating to allocation of revenues from special taxes to the old age pension fund.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 222, a bill for an act to protect trademark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 238, a bill for an act relating to the investment of funds of veterans under guardianship. VIRGIL LEKIN, *Chief Clerk.*

THIRD READING OF BILLS

By unanimous consent granted Senator Chrystal, the rules were suspended, Senate File 360 was withdrawn from the sifting committee and called up for consideration.

Senate File 360, a bill for an act authorizing the state conservation commission to acquire or lease property for development as state forests and conservation areas and providing for the disposition of income from such lands, was taken up and considered.

The bill was read for information.

Senator Calhoun offered the following amendment and moved its adoption.

Amend Senate File 360 by inserting as section two (2) and renumbering the remaining sections, the following:

"Sec. 2. All lands acquired under this act by the state conservation commission or any agency of the federal government shall be subject to the regular tax levies as other real estate in said taxing district in each and every year and this provision of law shall be written into every conveyance of real estate under this act."

Senator Shangle offered the following amendment to the Calhoun amendment and moved its adoption:

Amend the Calhoun amendment to Senate File 360, section two (2), by adding thereto the following:

"The valuation of said land for assessment and taxation shall be limited to the price at which same was purchased by the state conservation commission or any agency of the federal government."

The motion prevailed and the amendment to amendment was adopted.

The amendment, as amended, was adopted.

Senator Pendray was granted unanimous consent to withdraw her amendment to Senate File 360 as found on page 1476 of the Senate Journal.

Senator Calhoun offered the following amendment and moved its adoption:

Amend the title of Senate File 360 by inserting after the word "areas" in line 3 thereof the following: "subject to regular tax levies for each and every year in the respective taxing districts,".

The motion prevailed and the amendment was adopted.

Senator Chrystal moved that the reading just had be considered the third reading and the bill, as amended, be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 37:

Aschenbrenner	Donohue	Malone	Schmidt
Baldwin	Doze	Mason	Shangle
Beardsley	Elthon	McArthur	Shaw
Berg	Geske	Meyer	Stevens of
Billingsley	Grunewald	Miller	Decatur
Byers	Hopkins	Millhone	Stevens of
Calhoun	Hush	Nelson	Wapello
Chrystal	Husted	Parker	Valentine
Corwin	Irwin	Pendray	Wilson
Dewey	Knudson	Reese	

Nays, none.

Absent or not voting, 13:

Anderson	Driscoll	Kimberly	Patterson
Bell of Crawford	Fisch	Moore	Roelofs
Bell of	Goetsch	Mullaney	Stanley
Des Moines	Harrington		

The bill as amended having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

By unanimous consent granted Senator Irwin the rules were suspended and House File 438 was withdrawn from the sifting committee.

House File 438, a bill for an act to promote the objects of the national housing act by authorizing insurance companies and building and loan associations, to make loans pursuant to Titles I and II of the national housing act, and by authorizing insurance companies, building and loan associations, trustees, guardians, executors, administrators, and other fiduciaries, the state of Iowa and its political subdivisions, and institutions and agencies thereof, and all other persons, associations and corporations, subject to the laws of this state, to invest in mortgages insured, and in

debentures issued by the federal housing administration, and to invest in securities of national mortgage associations, was taken up and considered.

The bill was read for information.

Senator Irwin moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 39:

Aschenbrenner	Driscoll	Malone	Pendray
Baldwin	Elthon	Mason	Reese
Berg	Geske	McArthur	Schmidt
Billingsley	Goetsch	Meyer	Shangle
Byers	Grunewald	Miller	Shaw
Calhoun	Hopkins	Millhone	Stevens of
Chrystal	Hush	Moore	Decatur
Corwin	Husted	Mullaney	Stevens of
Dewey	Irwin	Parker	Wapello
Donohue	Knudson	Patterson	Valentine
Doze			

Nays, 1:

Wilson

Absent or not voting, 10:

Anderson	Bell of	Harrington	Roelofs
Beardsley	Des Moines	Kimberly	Stanley
Bell of Crawford	Fisch	Nelson	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Malone asked unanimous consent that the rules be suspended, House File 278 be withdrawn from the sifting committee and considered at this time.

Objections were raised and the request was denied.

Senator Malone moved that the rules be suspended and House File 278 be withdrawn from the sifting committee.

Roll call was requested.

The question was, Shall House File 278 be withdrawn from the sifting committee?

On the question, Shall House File 278 be withdrawn from the sifting committee? the vote was:

Ayes, 26:

Aschenbrenner	Grunewald	Meyer	Schmidt
Billingsley	Hush	Miller	Shangle
Chrystal	Irwin	Moore	Shaw
Doze	Knudson	Mullaney	Stevens of
Driscoll	Malone	Pendray	Decatur
Elthon	Mason	Reese	Stevens of
Goetsch	McArthur	Roelofs	Wapello

Nays, 19:

Anderson	Calhoun	Hopkins	Patterson
Baldwin	Corwin	Husted	Stanley
Beardsley	Dewey	Millhone	Valentine
Berg	Donohue	Nelson	Wilson
Byers	Geske	Parker	

Absent or not voting, 5:

Bell of Crawford	Bell of	Fisch	Kimberly
	Des Moines	Harrington	

The motion having failed to receive a two-thirds majority was lost.

CALL OF THE SENATE FILED

We, the following Senators, request a call of the Senate on conference committee report on House File 214, and all other bills to come before the Senate that are controversial.

CHRIS REESE.	SAM D. GOETSCH.
HOMER HUSH.	C. E. MALONE.
H. J. GRUNEWALD.	H. D. MILLER.
J. E. DOZE.	GEO. A. WILSON.
FRANK M. STEVENS.	WM. MCARTHUR.
L. T. SHANGLE.	I. G. CHRYSTAL.
L. H. MEYER.	A. J. SHAW.
E. P. CORWIN.	E. I. MASON.

THIRD READING OF BILLS

By unanimous consent granted Senator Stevens of Wapello, House File 516, a bill for an act making an appropriation for the payment of typewriter rental, miscellaneous expenses of the Forty-sixth General Assembly, and other expenses that are payable from the general fund of the state, was taken up and considered.

REPORT OF COMMITTEE

Senator Stevens of Wapello submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred House File 516, a bill for an act making an appropriation for the payment of typewriter rental, miscellaneous expenses of the Forty-sixth General Assembly, and other expenses that are payable from the general fund of the state, begs leave to report it has had the same under

consideration and recommends the same be amended as follows; and when so amended the bill do pass:

By inserting following section twenty-one (21), the following:

"Sec. 22. To Clyde L. Herring, Governor, the sum of two hundred ten (210) dollars for money advanced by him to the interim committee named in the Forty-fifth General Assembly in Extra Session."

Further amend by renumbering the remaining sections.

ROY E. STEVENS, *Chairman.*

The report of the committee and the committee amendment was adopted.

Senator Billingsley was granted unanimous consent to amend House File 516, section twenty-four (24), line 4 by striking the word "Monroe" and inserting in lieu thereof the word "Newton."

Senator Stevens of Wapello moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 41:

Anderson	Donohue	Malone	Reese
Aschenbrenner	Doze	Mason	Schmidt
Baldwin	Driscoll	McArthur	Shangle
Beardsley	Elthon	Meyer	Shaw
Berg	Goetsch	Miller	Stanley
Billingsley	Grunewald	Millhone	Stevens of
Byers	Hopkins	Moore	Decatur
Calhoun	Hush	Mullaney	Stevens of
Chrystal	Husted	Parker	Wapello
Corwin	Irwin	Patterson	Valentine
Dewey	Knudson	Pendray	

Nays, none.

Absent or not voting, 9:

Bell of Crawford	Fisch	Kimberly	Roelofs
Bell of	Geske	Nelson	Wilson
Des Moines	Harrington		

The bill as amended having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

REPORT OF COMMITTEE

Senator Stevens of Wapello submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred House File 505, a bill for an act to make an appropriation to

Horace Palmer, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS

By unanimous consent granted Senator Calhoun, House File 505, a bill for an act to make an appropriation to Horace Palmer, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Calhoun moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 38:

Anderson	Driscoll	McArthur	Schmidt
Aschenbrenner	Elthon	Meyer	Shangle
Baldwin	Goetsch	Miller	Shaw
Beardsley	Grunewald	Millhone	Stanley
Berg	Hopkins	Moore	Stevens of
Billingsley	Hush	Mullaney	Decatur
Calhoun	Husted	Patterson	Stevens of
Corwin	Irwin	Pendray	Wapello
Dewey	Knudson	Reese	Valentine
Donohue	Mason	Roelofs	Wilson

Nays, none.

Absent or not voting, 12:

Bell of Crawford	Chrystal	Geske	Malone
Bell of	Doze	Harrington	Nelson
Des Moines	Fisch	Kimberly	Parker
Byers			

The bill having received a two-thirds majority was declared to have passed the Senate and the title was agreed to.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 370, a bill for an act making emergency appropriation for armory rental allowances.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 373, a bill for an act making an appropriation to the Grand Army of the Republic to defray expenses of publishing its final history.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 385, a bill for an act making an appropriation to the treasurer of Polk county, Iowa, for paving assessment against the state of Iowa.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 386, a bill for an act making an appropriation to T. E. Diamond, Henry C. Schull, James F. Toy, Leone Webster and Frank C. Walrath.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 389, a bill for an act making an appropriation to the Iowa National Guard for replacements. VIRGIL LEKIN, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 517, a bill for an act to amend section sixty-one (61), chapter eighty-two (82), acts of the Forty-fifth General Assembly, Extraordinary Session, as amended by the Forty-sixth General Assembly, relating to allocation of revenues from special taxes to the old age pension fund.

The bill was read first and second times and referred to the committee on appropriations.

SECOND CONFERENCE COMMITTEE REPORT ON SENATE FILE 320 CONSIDERED

Senator Driscoll was granted unanimous consent to call up the second conference committee report on Senate File 320 as found on page 1401 of the Senate Journal.

President N. G. Kraschel returned to the chair.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 249, 321, 394, 395, 396, 397, 398, 392, 375, 401 and 388.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 249, 321, 394, 395, 396, 397, 398, 392, 375, 401 and 388.

BILLS SENT TO THE GOVERNOR

Senator Calhoun, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 23rd day of April, 1935, sent to the Governor for his approval Senate Files 249, 321, 394, 395, 396, 397, 398, 392, 375, 401 and 388.

JOHN N. CALHOUN, *Chairman.*

Passed on file.

On motion of Senator Shangle, the Senate recessed until the fall of the gavel.

The Senate reconvened at the fall of the gavel, President N. G. Kraschel presiding.

CONSIDERATION CONFERENCE COMMITTEE REPORTS
ON SENATE FILE 320 RESUMED

The following supplemental report to the report of the second conference committee on Senate File 320 was filed:

CONFERENCE SUPPLEMENTAL REPORT ON SENATE FILE 320

MR. PRESIDENT AND MR. SPEAKER: We, the undersigned members of the conference committee appointed to consider the difference between the Senate and House on Senate File 320, beg leave to submit the following supplemental report, to the report previously filed:

"Section seven (7), line 7, add after the second 'the' thereof, the words 'class B'";

"Section seven-a (7-a), line 3, add after the first 'the' thereof, the words 'class B'";

"Section seven-a (7-a), line 4, add after the word 'such' thereof, the words 'class B'".

Add as a new section the following:

"Sec.7-b. The above section seven-a (7-a) shall not apply in any manner or in any way to drug stores regularly and continuously employing a registered pharmacist, from having alcohol in stock for medicinal and compounding purposes."

T. F. DRISCOLL.

E. P. CORWIN.

MORRIS MOORE.

V. F. HARRINGTON.

On the part of the Senate.

J. P. GALLAGHER.

ARCH W. MCFARLANE.

THOMAS STIMPSON.

FRANK T. MCGILL.

On the part of the House.

Senator Hopkins moved to defer action on the second conference committee report on Senate File 320 until the Forty-seventh General Assembly, which motion was withdrawn by unanimous consent.

Senator Valentine moved that the second conference committee report and the supplemental report on Senate File 320 be rereferred to the second conference committee on Senate File 320.

Senator Patterson moved the previous question on the second conference committee report, the supplemental report and all pending motions to Senate File 320.

By unanimous consent Senator Valentine withdrew his pending motion.

Senator Wilson moved that action on the second conference committee report to Senate File 320 be temporarily deferred and that the Senate and House conferees be requested to meet for the purpose of preparing a substitute or supplemental conference report.

Senator Patterson, by unanimous consent, withdrew his motion moving the previous question.

Senator Patterson moved the previous question on the pending Wilson motion, which motion prevailed.

The chair called for a division of the vote and announced that the motion by Senator Wilson prevailed.

REPORT OF CONFERENCE COMMITTEE ON SENATE FILE 406 CONSIDERED

Senator Valentine called up for consideration the report of the conference committee on Senate File 406, as found on page 1399 of the Senate Journal.

Senator Valentine moved that the conference committee report on Senate File 406 be adopted and the amendments therein be concurred in.

The question was, Shall the conference committee report be adopted and the amendments therein concurred in?

On the question, Shall the conference committee report be adopted and the amendments therein concurred in? the vote was:

Ayes, 34:

Anderson	Corwin	McArthur	Schmidt
Aschenbrenner	Donohue	Meyer	Shangle
Baldwin	Doze	Miller	Stanley
Beardsley	Geske	Moore	Stevens of
Bell of Crawford	Grunewald	Mullaney	Decatur
Berg	Harrington	Patterson	Stevens of
Billingsley	Irwin	Pendray	Wapello
Byers	Knudson	Reese	Valentine
Chrystal	Malone	Roelofs	Wilson

Nays, 4:

Dewey	Elthon	Hopkins	Husted
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Absent or not voting, 12:

Bell of	Fisch	Kimberly	Nelson
Des Moines	Goetsch	Mason	Parker
Calhoun	Hush	Millhone	Shaw
Driscoll			

The conference committee report and amendments therein having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Valentine moved that the bill as amended be given its final reading and be placed on its passage, which motion prevailed, and the bill as amended was read again.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 36:

Anderson	Donohue	McArthur	Schmidt
Aschenbrenner	Doze	Meyer	Shangle
Baldwin	Geske	Miller	Stanley
Beardsley	Goetsch	Moore	Stevens of
Bell of Crawford	Grunewald	Mullaney	Decatur
Berg	Harrington	Patterson	Stevens of
Billingsley	Hush	Pendray	Wapello
Byers	Irwin	Reese	Valentine
Chrystal	Knudson	Roelofs	Wilson
Corwin	Malone		

Nays, 10:

Calhoun	Hopkins	Millhone	Parker
Dewey	Husted	Nelson	Shaw
Elthon	Mason		

Absent or not voting, 4:

Bell of	Driscoll	Fisch	Kimberly
Des Moines			

The bill as amended having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

REPORT OF COMMITTEE

Senator Roy E. Stevens submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 517, a bill for an act to make an appropriation to the old age pension fund, begs leave to report it has had the same under consideration and returns the bill without recommendation.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS

By unanimous consent granted Senator Stevens of Wapello, the rules were suspended and House File 517, a bill for an act to amend section sixty-one (61), chapter eighty-two (82), acts of the Forty-fifth General Assembly, Extraordinary Session, as amended by the Forty-sixth General Assembly, relating to allocation of revenues from special taxes to the old age pension fund, was taken up and considered.

The bill was read for information.

Senator Valentine offered the following amendment and moved its adoption:

Amend House File 517 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. There is hereby appropriated, out of any funds in the state treasury not otherwise appropriated, for each year of the biennium beginning July 1, 1935, and ending June 30, 1937, to the old age pension fund provided for in chapter nineteen (19) of the acts of the Forty-fifth General Assembly in Extraordinary Session, the sum of one million (1,000,000) dollars.

"Sec. 2. The sum herein appropriated shall be transferred, from any funds in the state treasury not otherwise appropriated, to the old age pension fund from time to time, by the comptroller and at his discretion, for the purposes described under the provisions of chapter nineteen (19) of the acts of the Forty-fifth General Assembly in Extraordinary Session as amended by Senate File 357, acts of the Forty-sixth General Assembly."

The motion prevailed and the amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend House File 517 by striking title therefrom and inserting in lieu thereof the following:

"A bill for an act to make an appropriation to the old age pension fund."

The motion prevailed and the amendment was adopted.

Senator Valentine moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 39:

Aschenbrenner	Doze	Mason	Roelofs
Beardsley	Elthon	McArthur	Shangle
Bell of	Geske	Meyer	Shaw
Des Moines	Goetsch	Miller	Stanley
Berg	Grunewald	Millhone	Stevens of
Billingsley	Harrington	Mullaney	Decatur
Byers	Hopkins	Nelson	Stevens of
Calhoun	Hush	Patterson	Wapello
Chrystal	Husted	Pendray	Valentine
Dewey	Irwin	Reese	Wilson
Donohue	Knudson		

Nays, none.

Absent or not voting, 11:

Anderson	Corwin	Kimberly	Parker
Baldwin	Driscoll	Malone	Schmidt
Bell of Crawford	Fisch	Moore	

The bill as amended having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 402, a bill for an act relating to a boundary commission, its powers, duties and compensation, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Harrington moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 35:

Anderson	Calhoun	Geske	Irwin
Aschenbrenner	Chrystal	Grunewald	Knudson
Beardsley	Dewey	Harrington	Malone
Billingsley	Doze	Hopkins	Mason
Byers	Elthon	Hush	McArthur

Meyer	Reese	Shaw	Stevens of
Miller	Roelofs	Stanley	Wapello
Mullaney	Schmidt	Stevens of	Valentine
Nelson	Shangle	Decatur	Wilson
Pendray			

Nays, 1:

Bell of
Des Moines

Absent or not voting, 14:

Baldwin	Donohue	Husted	Moore
Bell of Crawford	Driscoll	Kimberly	Parker
Berg	Fisch	Millhone	Patterson
Corwin	Goetsch		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

SECOND CONFERENCE COMMITTEE REPORT ON SUBSTITUTE FOR HOUSE FILE 214 CONSIDERED

Senator Stevens of Wapello called up for consideration the second conference committee report on the substitute for House File 214 as found on page 1407 and following of the Senate Journal.

A call of the Senate being on file, a roll call revealed the absence of Senators Baldwin, Byers, Corwin, Driscoll, Fisch, Kimberly and Moore.

Senator Elthon moved that the Senate proceed to consider the conference committee report with the understanding that no roll call be taken until the call of the Senate might be declared complete.

Senator Irwin was called to the chair.

Senators Baldwin, Corwin, Driscoll and Moore appeared in the Senate chamber.

On motion of Senator Patterson, Senators Fisch and Kimberly were excused from the call of the Senate unless the roll call indicated that their votes might determine the failure or adoption of the conference committee reports, or the passage of the bill.

Senator Byers appeared in the Senate chamber and the call of the Senate was declared to be complete.

Senator Stevens of Wapello moved that the second conference

committee report on the substitute for House File 214 be adopted and the amendments therein be concurred in.

The question was, Shall the second conference committee report be adopted and the amendments therein concurred in?

On the question, Shall the second conference committee report be adopted and the amendments therein concurred in? the vote was:

Ayes, 40:

Anderson	Corwin	Malone	Pendray
Aschenbrenner	Donohue	Mason	Roelofs
Baldwin	Doze	McArthur	Shaw
Beardsley	Driscoll	Meyer	Stanley
Bell of Crawford	Geske	Miller	Stevens of
Bell of	Grunewald	Millhone	Decatur
Des Moines	Harrington	Moore	Stevens of
Berg	Hopkins	Mullaney	Wapello
Billingsley	Husted	Nelson	Valentine
Byers	Irwin	Parker	Wilson
Chrystal	Knudson	Patterson	

Nays, 7:

Dewey	Goetsch	Reese	Shangle
Elthon	Hush	Schmidt	

Absent or not voting, 3:

Calhoun	Fisch	Kimberly
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The second conference committee report and amendments therein having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Stevens of Wapello moved that the bill as amended be given its final reading and be placed on its passage, which motion prevailed, and the bill was read again.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 34:

Anderson	Donohue	Malone	Roelofs
Aschenbrenner	Doze	McArthur	Shaw
Baldwin	Geske	Meyer	Stanley
Bell of Crawford	Grunewald	Millhone	Stevens of
Bell of	Harrington	Moore	Decatur
Des Moines	Hopkins	Nelson	Stevens of
Berg	Husted	Parker	Wapello
Billingsley	Irwin	Patterson	Valentine
Byers	Knudson	Pendray	Wilson
Corwin			

Nays, 11:

Calhoun	Goetsch	Miller	Schmidt
Dewey	Hush	Mullaney	Shangle
Elthon	Mason	Reese	

Absent or not voting, 5:

Beardsley	Driscoll	Fisch	Kimberly
Chrystal			

The bill as amended having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 123, 307, 454 and 495.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files 123, 307, 454 and 495.

Senator Wilson took the chair.

THIRD READING OF BILLS

By unanimous consent granted Senator Irwin, the rules were suspended and House File 105 was withdrawn from the sifting committee for consideration.

House File 105, a bill for an act to amend chapter fifty-nine (59), section one (1), acts of the Forty-fifth General Assembly, Extraordinary Session, relating to county auditors' salaries, was taken up and considered.

The bill was read for information.

Senator Irwin moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 38:

Aschenbrenner	Dewey	Husted	Pendray
Baldwin	Donohue	Irwin	Reese
Beardsley	Doze	Knudson	Schmidt
Bell of	Driscoll	Mason	Shangle
Des Moines	Elthon	McArthur	Shaw
Berg	Geske	Meyer	Stanley
Billingsley	Grunewald	Millhone	Stevens of
Calhoun	Harrington	Moore	Decatur
Chrystal	Hopkins	Mullaney	Valentine
Corwin	Hush	Parker	Wilson

Nays, none.

Absent or not voting, 12:

Anderson	Goetsch	Miller	Roelofs
Bell of Crawford	Kimberly	Nelson	Stevens of
Byers	Malone	Patterson	Wapello
Fisch			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

By unanimous consent granted Senator Donohue, the rules were suspended and House File 303 was withdrawn from the sifting committee for consideration.

House File 303, a bill for an act to amend section five hundred ninety-three (593), Code, 1931, relating to nominations by primary election, was taken up and considered.

The bill was read for information.

Senator Baldwin moved that House File 303 be rereferred to the sifting committee.

The chair called for a division of the vote and announced the motion prevailed.

Senator Irwin returned to the chair.

Senator Mullaney asked unanimous consent that the rules be suspended and House File 5 be withdrawn from the sifting committee. Objections were raised and the request was denied.

Senator Mullaney moved that the rules be suspended and House File 5 be withdrawn from the sifting committee.

The question was, Shall House File 5 be withdrawn from the sifting committee?

On the question, Shall House File 5 be withdrawn from the sifting committee? the vote was:

Ayes, 39:

Anderson	Dewey	Malone	Pendray
Aschenbrenner	Donohue	Mason	Roelofs
Beardsley	Driscoll	McArthur	Schmidt
Bell of Crawford	Elthon	Meyer	Shangle
Bell of Des Moines	Geske	Miller	Shaw
Berg	Goetsch	Millhone	Stevens of Decatur
Billingsley	Grunewald	Mullaney	Stevens of Wapello
Byers	Harrington	Nelson	Valentine
Calhoun	Hush	Parker	
Chrystal	Irwin	Patterson	
	Knudson		

Nays, 9:

Baldwin	Hopkins	Moore	Stanley
Corwin	Husted	Reese	Wilson
Doze			

Absent or not voting, 2:

Fisch	Kimberly
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Rule 8 was invoked.

The motion having received a two-thirds majority was declared to have prevailed and House File 5 was withdrawn from the sifting committee.

House File 5, a bill for an act to amend section seventy-one hundred seventy-one (7171), Code, 1931, relating to the repeal of the poll tax levied on each male resident over twenty-one (21) years of age, was taken up and considered.

The bill was read for information.

Senator Mullaney moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 37:

Anderson	Chrystal	Hush	Mullaney
Aschenbrenner	Dewey	Husted	Patterson
Beardsley	Donohue	Irwin	Pendray
Bell of Crawford	Driscoll	Knudson	Reese
Bell of Des Moines	Elthon	Malone	Shangle
Berg	Geske	Mason	Shaw
Billingsley	Goetsch	McArthur	Stevens of Decatur
Byers	Grunewald	Meyer	Stevens of Wapello
Calhoun	Harrington	Miller	
	Hopkins	Millhone	

Nays, 5:

Baldwin	Doze	Moore	Wilson
Corwin			

Absent or not voting, 8:

Fisch	Nelson	Roelofs	Stanley
Kimberly	Parker	Schmidt	Valentine

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Mullaney moved that the vote by which House File 5 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE 408 WITHDRAWN

By unanimous consent granted Senator Stevens of Wapello, it was ordered that Senate File 408 be withdrawn from further consideration by the Senate.

THIRD READING OF BILLS

By unanimous consent granted Senator Elthon, the rules were suspended and House File 471 was withdrawn from the sifting committee.

House File 471, a bill for an act to provide for remission of unpaid taxes on the capital stock of any bank placed in the hands of a receiver, was taken up and considered.

The bill was read for information.

Senator Elthon moved that the reading just had been considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 27:

Byers	Geske	Knudson	Patterson
Calhoun	Goetsch	McArthur	Reese
Chrystal	Grunewald	Miller	Roelofs
Corwin	Harrington	Millhone	Schmidt
Donohue	Hopkins	Moore	Shaw
Driscoll	Husted	Mullaney	Stevens of
Elthon	Irwin	Nelson	Wapello

Nays, 19:

Anderson	Berg	Malone	Stanley
Aschenbrenner	Billingsley	Mason	Stevens of
Beardsley	Dewey	Meyer	Decatur
Bell of Crawford	Doze	Pendray	Valentine
Bell of	Hush	Shangle	Wilson
Des Moines			

Absent or not voting, 4:

Baldwin Fisch Kimberly Parker

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

By unanimous consent granted Senator Millhone, the rules were suspended and House File 179 was withdrawn from the sifting committee.

House File 179, a bill for an act to amend sections twelve thousand nine hundred thirty-seven (12937), twelve thousand nine hundred thirty-eight (12938) and twelve thousand nine hundred fifty (12950), Code, 1931, and to repeal section twelve thousand nine hundred thirty-six (12936), Code, 1931, and enact a substitute therefor; all relating to the sale and carrying of dangerous and concealed weapons and the violation thereof, was taken up and considered.

Senator Wilson offered the following amendment and moved its adoption:

Amend House File 179, section four (4), line 15, by inserting a period after the first "provided" and striking the remainder of the section.

The motion prevailed and the amendment was adopted.

The bill was read for information.

Senator Millhone moved that the reading just had be considered the third reading and the bill as amended be placed on its passage, which motion prevailed.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 31:

Aschenbrenner	Donohue	Mason	Reese
Baldwin	Driscoll	McArthur	Roelofs
Bell of Crawford	Geske	Millhone	Stevens of
Bell of	Grunewald	Moore	Decatur
Des Moines	Harrington	Mullaney	Stevens of
Berg	Hopkins	Nelson	Wapello
Byers	Husted	Parker	Valentine
Chrystal	Irwin	Pendray	Wilson
Dewey	Malone		

Nays, 15:

Anderson	Doze	Meyer	Shangle
Billingsley	Goetsch	Miller	Shaw
Calhoun	Hush	Patterson	Stanley
Corwin	Knudson	Schmidt	

Absent or not voting, 4:

Beardsley

Elthon

Fisch

Kimberly

The bill as amended having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendments and passed the following bill in which the concurrence of the House was asked:

House File 516, a bill for an act making an appropriation for the payment of typewriter rental and miscellaneous expenses of the Forty-sixth General Assembly.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 182, a bill for an act relating to approved schools of optometry.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 335, a bill for an act relating to the refunding of primary road paving assessments.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 360, a bill for an act authorizing the state conservation commission to acquire or lease property for development as state forests and conservation areas subject to regular tax levies.

VIRGIL LEKIN, *Chief Clerk.*

On motion of Senator Valentine the Senate resolved itself into executive session.

EXECUTIVE SESSION

The Senate arose from executive session and resumed regular session.

REPORT OF COMMITTEE

SECOND SUPPLEMENTAL CONFERENCE REPORT ON SENATE FILE 320

MR. PRESIDENT AND MR. SPEAKER: We, the undersigned members of the conference committee appointed to consider the difference between the Senate and House on Senate File 320, beg leave to submit the following second supplemental report, to the reports previously filed:

"Sec. 6. Strike the entire third paragraph, being lines 21 to 43 inclusive, commencing with the words 'One class "B", etc.', and insert in lieu thereof the following paragraph:

'Allowing one class "B" permit to be issued upon application meeting the requirements of this act for each five hundred (500) population, or

fractional part thereof, up to twenty-five hundred (2500), and allowing one (1) additional permit for each seven hundred-fifty (750) population or fractional part thereof, over and above twenty-five hundred (2500), provided, however, that in towns having a population of one thousand (1000) or less, two (2) permits shall be allowed if proper application is made therefor in accordance with the requirements of the provisions of said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, and said city and town councils are further empowered to adopt ordinances, subject to the express provisions of section twenty-three (23) of said chapter twenty-five (25), for the fixing of the hours during which beer may be sold and consumed in the places of business of class "B" permittees, and further providing that subject to the express provisions of said section twenty-three (23), of said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, no sale or consumption of beer shall be allowed on the premises of a class "B" permittee, as above provided, between the hours of 1:00 a. m. and 6:00 a. m.; and for the location of the premises of class "B" permittees; and for the prohibiting or regulation of dancing in places where beer is sold; and are empowered to adopt ordinances, not in conflict with the provisions of chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session as amended by this act, governing any other activities or matters which may affect the sale and distribution of beer under class "B" permits and the welfare and morals of the community involved.' "

Section eleven (11), line 4, strike the words "and females."

T. F. DRISCOLL.

J. P. GALLAGHER.

E. P. CORWIN.

ARCH W. MCFARLANE.

MORRIS MOORE.

THOMAS STIMPSON.

V. F. HARRINGTON.

FRANK T. MCGILL.

On the part of the Senate.

On the part of the House.

SECOND CONFERENCE COMMITTEE REPORT AND
SUPPLEMENTAL REPORTS ON SENATE FILE 320
CONSIDERED

Senator Driscoll called up for consideration the second conference committee report on Senate File 320, as found on page 1401 of the Senate Journal, and the two supplemental reports filed thereto.

Senator Valentine raised the point of order that the conference committee report contained matter which was not in disagreement between the two houses.

On motion of Senator Reese the Senate recessed until the fall of the gavel.

The Senate reconvened at the fall of the gavel.

The chair ruled that the point of order raised by Senator Valentine was not well taken.

Senator Driscoll moved that the Senate adopt the second conference committee report and the two supplemental reports on Senate File 320 and concur in the amendments therein.

Senator Shangle moved the previous question on the second conference committee report and the two supplemental reports thereto, which motion prevailed.

The question was, Shall the second conference committee report and the two supplemental reports on Senate File 320 be adopted and the amendments therein concurred in?

On the question, Shall the second conference committee report and the two supplemental reports on Senate File 320 be adopted and the amendments therein concurred in? the vote was:

Ayes, 22:

Beardsley	Doze	Knudson	Moore
Bell of Crawford	Driscoll	Mason	Shangle
Berg	Elthon	McArthur	Stevens of
Billingsley	Goetsch	Meyer	Decatur
Byers	Grunewald	Miller	Stevens of
Corwin	Harrington	Millhone	Wapello

Nays, 24:

Anderson	Donohue	Malone	Roelofs
Aschenbrenner	Geske	Mullaney	Schmidt
Baldwin	Hopkins	Nelson	Shaw
Bell of	Hush	Parker	Stanley
Des Moines	Husted	Patterson	Valentine
Chrystal	Irwin	Reese	Wilson
Dewey			

Absent or not voting, 4:

Calhoun	Fisch	Kimberly	Pendray
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The motion having failed to receive a two-thirds majority it was declared that the Senate had refused to adopt the conference committee reports on Senate File 320 and concur in the amendments therein.

Senator Valentine was granted unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 412, by committee on ways and means, a bill for an act designating and fixing the amount of revenue for general state purposes for which levy is to be made by the state board of assessment and review.

The bill was read first and second times.

THIRD READING OF BILLS

By unanimous consent granted Senator Geske, the rules were suspended and Senate File 412, a bill for an act designating and fixing the amount of revenue for general state purposes for which levy is to be made by the state board of assessment and review, was taken up and considered.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading and the bill be placed on its passage, which motion prevailed.

The question was, Shall the bill pass?

On the question, Shall the bill pass? the vote was:

Ayes, 32:

Anderson	Doze	Malone	Shangle
Aschenbrenner	Driscoll	McArthur	Shaw
Bell of Crawford	Elthon	Meyer	Stevens of
Bell of	Geske	Miller	Decatur
Des Moines	Grunewald	Mullaney	Stevens of
Billingsley	Harrington	Patterson	Wapello
Byers	Hush	Pendray	Valentine
Chrystal	Irwin	Reese	Wilson
Dewey	Knudson	Roelofs	

Nays, none.

Absent or not voting, 18:

Baldwin	Donohue	Kimberly	Nelson
Beardsley	Fisch	Mason	Parker
Berg	Goetsch	Millhone	Schmidt
Calhoun	Hopkins	Moore	Stanley
Corwin	Husted		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson moved that nothing but conference committee reports and amendments to be concurred in come before the Senate for consideration, which motion prevailed.

THIRD CONFERENCE COMMITTEE ON SENATE FILE 320
APPOINTED

As a third conference committee on Senate File 320, the President appointed the following Senators: Valentine, Wilson, Beardsley and Bell of Des Moines.

EXCHANGE OF SEATS

By unanimous consent, on request of Senator Knudson, he and Senator Corwin exchanged seats 19 and 45.

By unanimous consent, on request of Senator Patterson, he and Senator Berg exchanged seats 21 and 26.

EXPLANATION OF VOTE

MR. PRESIDENT: I desire to make an explanation of my vote against the appropriation bill. I am not in favor of the elimination or cut of the money asked for capital improvements which includes the askings of the state board of education and the state board of control.

I refer particularly to the conditions that exist in the state institution at Glenwood. The money was asked to replace a building that is considered a fire trap and a menace to the poor unfortunates that are housed in said building; also, for an appropriation for a new hospital at one of the insane institutions to replace one which also is a fire trap.

PAUL SCHMIDT.

On motion of Senator Shangle the Senate recessed until the fall of the gavel.

* * * * *

The Senate reconvened at the fall of the gavel, President pro tempore Harold L. Irwin presiding.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 174, 291, 292, 293, 297, 298, 299, 379, 380, 222, 238, 370, 373, 385, 386, 389, 182, 335, 360, and House Files 214, 438, 105, 249, 471, 5, 505, 516, 248, 179 and 517.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 174, 291, 292, 293, 297, 298, 299, 379, 380, 222, 238, 370, 373, 385, 386, 389, 182, 335, 360, House Files 214, 438, 105, 249, 471, 5, 505, 516, 248, 179 and 517.

BILLS SENT TO THE GOVERNOR

Senator Calhoun from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully report they have on this 23rd day of April, 1935, sent to the governor for his approval Senate Files 174, 291, 292, 293, 297, 298, 299, 379, 380, 222, 238, 370, 373, 385, 386, 389, 182, 335 and 360.

JOHN N. CALHOUN, *Chairman.*

Passed on file.

Senator Schmidt offered the following resolution and moved that the rules be suspended and the resolution be adopted:

SENATE RESOLUTION 4

Be It Resolved by the Senate of the Forty-sixth General Assembly: That such members as desire to purchase the chairs occupied by them during the session be permitted to purchase said chairs from the secretary of the executive council at the price of ten (10) dollars, and that the custodian of the state house be instructed to crate said chairs and deliver them to the express office at Des Moines, addressed to said purchaser.

Roll call was requested.

The question was, Shall the resolution be adopted?

On the question, Shall the resolution be adopted? the vote was:

Ayes, 22:

Aschenbrenner	Dewey	Knudson	Reese
Baldwin	Donohue	Malone	Schmidt
Berg	Doze	Mason	Shaw
Calhoun	Driscoll	McArthur	Stevens of
Chrystal	Geske	Moore	Decatur
Corwin	Irwin	Parker	

Nays, 11:

Anderson	Grunewald	Meyer	Pendray
Elthon	Hopkins	Miller	Roeleofs
Goetsch	Husted	Nelson	

Absent or not voting, 17:

Beardsley	Byers	Millhone	Stevens of
Bell of Crawford	Fisch	Mullaney	Wapello
Bell of	Harrington	Patterson	Valentine
Des Moines	Hush	Shangle	Wilson
Billingsley	Kimberly	Stanley	

The motion prevailed and the resolution was adopted.

On motion of Senator Doze, the Senate recessed until the fall of the gavel.

The Senate reconvened at the fall of the gavel, President pro tempore Harold L. Irwin 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 concurred in Senate amendments and passed the following bill in which the concurrence of the House was asked:

House File 179, a bill for an act relating to the sale and carrying of dangerous and concealed weapons and the violation thereof.

Also: That the House has concurred in Senate amendments and passed the following bill in which the concurrence of the House was asked:

House File 517, a bill for an act relating to allocation of revenues from special taxes to the old age pension fund.

Also: That the House has adopted the conference report, concurred in amendments contained therein and passed the following bill in which the concurrence of the House was asked:

Senate File 406, a bill for an act providing funds for the Iowa emergency relief administration and for the Iowa emergency conservation works.

VIRGIL LEKIN, *Chief Clerk.*

CONFERENCE COMMITTEE REPORT CONSIDERED

The following conference committee report was filed and called up for consideration by Senator Valentine.

REPORT OF THIRD CONFERENCE COMMITTEE ON
SENATE FILE 320

MR. PRESIDENT AND MR. SPEAKER: We, the undersigned members of the third conference committee appointed to consider the difference between the Senate and the House on Senate File 320, being a bill for an act to amend chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, relating to the sale and distribution of beer by certain class "B" permittees, providing for the issuance of such permits, etc., beg leave to report that we have had the same under consideration and recommend that the House recede from its amendments and that the bill, as passed by the Senate, be amended by striking all after the enacting clause and substituting in lieu thereof the following (which is Senate File 320 with certain of the House amendments incorporated):

"Section 1. Chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, is amended by striking out sub-section 'B' of section six (6) of said act, and inserting in lieu thereof the following:

b. "Permit board" shall mean the state permit board composed of the treasurer of state, the secretary of state, and the auditor of state, of the state of Iowa.'

Said chapter twenty-five (25) is further amended by striking out subsection "E" of section six (6) of said act, and inserting in lieu thereof the following:

'e. The term "good moral character" shall not be construed to include the following: Any person, firm, or corporation who, preceding the making of an application for any permit under the provisions of this act, has been found guilty of violating any of the provisions of the beer act or any of the intoxicating liquor laws of the state or who has been convicted of a felony or an indictable misdemeanor.'

"Sec. 2. Further amend said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, by adding at the end of section seven (7), of said chapter a new paragraph which shall be as follows:

'In order to promote uniform compliance with the provisions of this act there is hereby created a state permit board to be composed of the treasurer of state, who shall be the chairman thereof, the secretary of state, and the auditor of state, which board shall issue state permits and shall have the power to revoke the same upon hearing as provided in this act and to review actions of the city or town councils, including cities under special charter, and boards of supervisors, in refusing to revoke permits, as hereinafter provided. The permit board shall serve without additional compensation. The permit board shall meet on the first Mon-

day in each month for a regular meeting, and upon call at any time. The majority of its members shall constitute a quorum but no final action shall be taken in the revocation of a permit without a majority vote. In the event it should be impossible for any of the officials designated as members of this board to be present at any meeting of the board, such official may designate a deputy or assistant in his department to attend such meeting or meetings and act for him and in his stead but at no meeting shall any final decision of the board be made unless at least two (2) members thereof are present in person."

"Sec 3. Section eight (8) of said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, is amended as follows:

1. Insert immediately preceding the word "and" in line 11 the words "and to clubs as defined in section nineteen (19)."

2. Add at the end of said section eight (8) the following:

'Each applicant applying for a class "B" or "C" permit, shall, in addition to procuring a permit from a city or town council, or board of supervisors, as provided in this act, obtain a state permit from the state permit board upon application made to the board and upon payment of a fee of three (3) dollars. Such fees collected shall be placed in a special fund by the treasurer of state to be used by the state permit board for the purpose of enforcing the provisions of this act.

'Upon the issuance of a permit by a city or town council, or board of supervisors, such council or board shall forthwith certify to the state permit board the action so taken. The state permit board shall promptly issue a state permit to all applicants to whom a permit has been issued by a city or town council or by a board of supervisors, which shall expire at the same time as the permit issued by said council or board, and shall forthwith certify to such council or board as to the issuance of each permit.

'Upon the revoking of a permit by any city or town council or board of supervisors, such council or board shall certify to the state permit board the action so taken, and thereupon the state permit board shall immediately cancel its permit to such permit holder, and such action of the state permit board and other granting authority shall be final.'

"Sec. 4. Section twelve (12) of said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, is amended as follows:

Strike all after the comma in line 18 of said section, and strike lines 19, 20, 21, 22 and 23, and insert in lieu thereof the following: 'and is located within a business district or an area now or hereafter zoned as a business district.'

"Sec. 5. Section sixteen (16) of said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, is amended by adding at the end of said section the following: 'and that no sale or delivery shall be made between the hours of 1:00 a. m. and 6:00 a. m., and no sale or delivery on Sunday.'

"Sec. 6. Chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, is amended by striking

section thirty-four (34) of said chapter and inserting in lieu thereof the following:

"Sec. 34. It is expressly provided, any provision of this chapter to the contrary notwithstanding, that cities and towns, including cities under special charter, and boards of supervisors, shall have the power and authority to revoke any permit issued under their authority for a violation of any of the provisions of this act, or any ordinance adopted by a city or town under the provisions hereof, or any rule or regulation adopted by a board of supervisors, or for any cause which, in the judgment of the governing body, may be inimical to or prevent the carrying out of the intent and purposes of this act. Any permit revoked as in this act provided shall not be renewed or a new permit shall not be granted to the same person for a period of one (1) year from the date of revocation; further, the governing body may refuse to issue a permit effective on the same premises to any other person for a period of one (1) year from the date of revocation. Cities and towns, including cities under special charter, are hereby empowered to adopt ordinances for the enforcement of chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended by this act, and are further empowered to adopt ordinances providing for the limitation of class 'B' permits, as follows:

"Allowing only one (1) class 'B' permit to be issued upon application meeting the requirements of chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended by this act, for each five hundred (500) population, or fractional part thereof, up to twenty-five hundred (2500), and allowing only one (1) additional permit for each seven hundred fifty (750) population or fractional part thereof, over and above twenty-five hundred (2500), provided, however, that in towns having a population of one thousand (1000) or less, two (2) permits shall be allowed if proper application is made therefor in accordance with the requirements of the provisions of said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, and said city and town councils are further empowered to adopt ordinances, subject to the express provisions of section twenty-three (23) of said chapter twenty-five (25), for the fixing of the hours during which beer may be sold and consumed in the places of business of class 'B' permittees, and further providing that subject to the express provisions of said section twenty-three (23), of said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, no sale or consumption of beer shall be allowed on the premises of a class 'B' permittee, as above provided, between the hours of 1:00 a. m. and 6:00 a. m.; and for the location of the premises of class 'B' permittees; and for the prohibiting or regulation of dancing in places where beer is sold; and are empowered to adopt ordinances, not in conflict with the provisions of chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session as amended by this act, governing any other activities or matters which may affect the sale and distribution of beer under class 'B' permits and the welfare and morals of the community involved."

"Sec. 6-a. In determining the number of permits to be issued under the provisions of section six (6), of this act, class 'B' permits issued to clubs and hotels as contemplated in chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, shall be excluded from the limitation as to number, as in section six (6) provided.

"Sec. 7. Further amend said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, by inserting after the comma following the word 'bootlegging' in line 3 in section thirty-one (31) thereof the following: 'or who is guilty of the sale or dispensing of wines or spirits in violation of the law, or who shall allow the mixing or adding of alcohol to beer or any other beverage on the premises of class "B" permittees or who shall be guilty of the violation of this chapter as amended, or of any ordinances enacted by any city or town as provided for in this act.'

"Sec. 7-a. No liquor for beverage purposes having an alcoholic content greater than four (4) per cent by weight, shall be used, or kept for any purpose in the place of business of class 'B' permittees, or on the premises of such class 'B' permittees, at any time. A violation of any provision of this section shall be grounds for revocation of the permit.

"Sec. 7-b. The above section seven-a (7-a) shall not apply in any manner or in any way, to drug stores regularly and continuously employing a registered pharmacist, from having alcohol in stock for medicinal and compounding purposes.

"Sec. 8. Further amend said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended by striking from section twenty-five (25) of said chapter all of line 7 after the period following the word 'dollars' in said line, and by striking all of line 8, and by striking all that part of line 9 to and including the period, and inserting in lieu thereof the following: 'The annual permit fee for a class "B" permit, except class "B" permits issued to hotels and clubs as contemplated in chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, and golf or country clubs, shall be fixed by the authorities empowered by this act to issue permits, but the amount of said permit fee shall not be less than one hundred (100) dollars, nor more than three hundred (300) dollars.'

"Sec. 9. Further amend said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, by adding a new section as follows: 'All class "B" permits, except permits issued to golf and country clubs under the provisions of chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, shall terminate as of July 1, 1935. The authorities empowered by this act to issue permits shall refund the permit holder an amount proportionate to the unexpired term of the permit, except in cases where the county has received one-half ($\frac{1}{2}$) of the permit fee and in such cases the county shall refund one-half ($\frac{1}{2}$) of the said proportionate amount and the granting authority the other one-half ($\frac{1}{2}$). All class "B" permits issued to golf or country clubs, shall expire on July first after the date of issuance.'

"Sec. 10. Further amend said chapter twenty-five (25), acts of the

Forty-fifth General Assembly in Extraordinary Session, as amended, by striking lines 4 to 11 inclusive, of section thirty-three (33) thereof, being subdivision 'a', and substituting therefor the following:

'a. All permit fees collected under the provisions of this act by any municipality shall be retained by such municipality and allocated to its general fund.'

"Sec. 11. Further amend said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, by adding a new section as follows:

'Minors are prohibited from serving beer in the place of business of any permit holder in which the business of selling beer constitutes more than fifty (50) per cent of the gross business transacted therein.'

"Sec. 12. Further amend said chapter twenty-five (25), acts of the Forty-fifth General Assembly, in Extraordinary Session, as amended, by adding a new section as follows:

'The state permit board may review the action of any city or town council, including special charter cities, and boards of supervisors, in any case where a hearing has been had relative to the cancellation or revocation of a permit and it appears from the records of the hearing held by said city or town council or board of supervisors, that the permit has not been revoked or cancelled, and it appears from an investigation made by the state permit board that there is reasonable ground to believe that such permit holder has been guilty of violation of the provisions of this act, and upon such hearing the permit board shall make a finding, after hearing the facts with reference to the grounds for the revocation of such permit, and by a majority vote shall determine whether or not such permit shall be revoked and make an order accordingly, and said finding shall be final.

'If the state permit board finds from investigation that a review of the action of any city or town council, including special charter cities and boards of supervisors, should be had, or that such governing bodies have failed to take action, the state permit board shall thereupon fix a date for the hearing thereof and shall notify the permit holder of such hearing by registered mail of the date fixed for hearing and the date set for the hearing shall not be less than seven (7) days from the mailing of the notice. Such notice shall be mailed to the permittee at the post office address where his place of business is conducted under his permit. All such hearings shall be held at the seat of government of the state of Iowa, at Des Moines, Iowa.

'In the preparation and conduct of the hearing the board shall have power to require by subpoena the testimony of witnesses and the production of papers or documents and any member of the board may sign subpoenas, administer oaths and affirmations, examine witnesses, and receive evidence. The fees and mileage of such witnesses shall be the same as prescribed by law in the trial of civil cases and the permittee in all such hearings shall have the opportunity to be heard in person and by counsel. All parties to any hearing before the board shall have the right to the attendance of witnesses at such hearings upon making request therefor to the board and designating the person or persons

sought to be subpoenaed. In case of disobedience to a subpoena the board may invoke the aid of any court of competent jurisdiction in requiring the attendance and testimony of witnesses and the production of papers or documents and such court may issue an order requiring the persons to appear before the board and give evidence or to produce papers as the case may be, and any failure to obey such orders of the court may be punished by the court for contempt thereof. Testimony may be taken by deposition as in civil cases and any person may be compelled to appear and testify as in civil actions in the courts of this state. Any person who shall neglect and refuse to attend and testify or answer any lawful question or produce documentary evidence if it is in his power to do so, in obedience to a subpoena or lawful requirement by such board, shall be guilty of a misdemeanor and upon conviction thereof by a court of competent jurisdiction shall be punished in accordance with the provisions of section twelve thousand eight hundred ninety-four (12894), Code of Iowa, 1931.

'Like hearings may also be had in cases where a verified petition signed by at least ten (10) tax payers has first been presented to the city or town council, including special charter cities or the boards of supervisors, as the case may be, or where the state permit board from its investigation asks that a hearing be had on the revocation of a permit, and in the event the city or town council, including special charter cities and boards of supervisors, neglects or refuses to have such hearing, the matter may be presented to the state permit board upon such verified petition in writing, signed by at least ten (10) tax payers of the jurisdiction for which the permit was granted, or the state permit board may upon its own motion conduct such hearing, and the same procedure as in this section provided shall apply with reference to notice of hearing witnesses testimony and contempt proceedings for failure to appear, and the board shall make a finding in such cases, which finding shall be binding on the permit holder and also on the city or town councils, including special charter cities or boards of supervisors, as the case may be.'

"Sec. 13. Further amend said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, by adding a new section as follows: 'Subject to the express provisions of section twenty-three (23) of chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, no beer shall be sold or consumed in the places of business of class "B" permittees located outside of a city or town between the hours of 1:00 a. m. and 6:00 a. m., except clubs as contemplated in section nineteen (19) of said chapter twenty-five (25). Boards of supervisors are authorized and empowered, subject to the above, to fix opening and closing hours and are further authorized and empowered to adopt rules and regulations for the prohibiting or regulation of dancing in places where beer is sold; and are empowered to adopt rules and regulations, not in conflict with the provisions of chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended by this act, governing any other activities or matters which may affect the

sale and distribution of beer under class "B" permits and the welfare and morals of the community involved.'

"Sec. 14. Further amend said chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, as amended, by adding a new section as follows: 'No person, firm or corporation shall bottle beer within the state of Iowa, except class "A" permittees who have complete equipment for bottling beer and who have received the approval of the local board of health as to sanitation, and it shall be the duty of local boards of health to inspect the premises and equipment of class "A" permittees who desire to bottle beer.'

"Sec. 15. This act being deemed of immediate importance shall be in full force and effect after its passage and publication in the Dyersville Commercial, a newspaper published at Dyersville, Iowa, and in the Daily Tribune, a newspaper published at Dubuque, Iowa."

Further amend Senate File 320 by striking all of the title and substituting in lieu thereof the following:

"An act to amend chapter twenty-five (25), acts of the Forty-fifth General Assembly in Extraordinary Session, relating to the manufacture, sale and distribution of beer; creating a state permit board and defining its powers and duties; providing for the issuance and revocation of permits authorizing boards of supervisors to adopt rules and regulations and cities and towns to pass ordinances governing the sale and distribution of beer; providing for hearings by the state permit board; and fixing the hours during which beer may be sold, delivered, or consumed."

JOHN K. VALENTINE.

WM. S. BEARDSLEY.

JAMES M. BELL.

GEORGE A. WILSON.

On the part of the Senate.

J. P. GALLAGHER.

R. G. MOORE.

A. STEWART.

EDMUND HANSON.

On the part of the House.

Senator Valentine moved that the third conference committee report on Senate File 320 be adopted and the amendments therein concurred in.

The question was, Shall the conference committee report be adopted and the amendments therein concurred in?

On the question, Shall the conference committee report be adopted and the amendments therein concurred in? the vote was:

Ayes, 38:

Anderson	Doze	Mason	Roelofs
Aschenbrenner	Driscoll	McArthur	Shangle
Beardsley	Elthon	Meyer	Shaw
Bell of	Geske	Miller	Stanley
Des Moines	Goetsch	Millhone	Stevens of
Berg	Grunewald	Moore	Decatur
Byers	Hush	Mullaney	Stevens of
Chrystal	Irwin	Parker	Wapello
Corwin	Knudson	Pendray	Valentine
Dewey	Malone	Reese	Wilson
Donohue			

Nays, 5:

Baldwin	Husted	Nelson	Schmidt
Hopkins			

Absent or not voting, 7:

Bell of Crawford	Calhoun	Harrington	Patterson
Billingsley	Fisch	Kimberly	

Rule 8 was invoked.

The motion having received a constitutional majority it was declared that the Senate had adopted the conference committee report and concurred in the amendments therein.

Senator Valentine moved that the bill as amended be given its final reading and the bill as amended be placed on its passage, which motion prevailed, and the bill as amended was read again.

The question was, Shall the bill as amended pass?

On the question, Shall the bill as amended pass? the vote was:

Ayes, 37:

Anderson	Donohue	Mason	Roelofs
Aschenbrenner	Doze	McArthur	Shangle
Beardsley	Driscoll	Meyer	Shaw
Bell of	Elthon	Miller	Stanley
Des Moines	Geske	Millhone	Stevens of
Berg	Grunewald	Moore	Decatur
Byers	Hush	Mullaney	Stevens of
Chrystal	Irwin	Parker	Wapello
Corwin	Knudson	Pendray	Valentine
Dewey	Malone	Reese	Wilson

Nays, 5:

Baldwin	Husted	Nelson	Schmidt
Hopkins			

Absent or not voting, 8:

Bell of Crawford	Calhoun	Goetsch	Kimberly
Billingsley	Fisch	Harrington	Patterson

The bill as amended having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 406.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File 406.

BILL SENT TO THE GOVERNOR

Senator Calhoun, from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 23rd day of April, 1935, sent to the Governor for his approval Senate File 406.

JOHN N. CALHOUN, *Chairman.*

Passed on file.

Senator Baldwin asked unanimous consent that Senate File 206 be withdrawn from the sifting committee. Objections were raised and the request was denied.

Senator Baldwin moved that Senate File 206 be withdrawn from the sifting committee.

Senator Wilson raised the point of order that his previous motion precluded the consideration of such motions.

Senator Baldwin moved that the rules be suspended and Senate File 206 be withdrawn from the sifting committee.

The question was, Shall Senate File 206 be withdrawn from the sifting committee?

On the question, Shall Senate File 206 be withdrawn from the sifting committee? the vote was:

Ayes, 5:

Baldwin	Bell of Des Moines	Moore Parker	Reese
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Nays, 29:

Anderson	Driscoll	Mason	Schmidt
Aschenbrenner	Elthon	McArthur	Shangle
Beardsley	Goetske	Meyer	Shaw
Berg	Goetsch	Mullaney	Stanley
Billingsley	Grunewald	Nelson	Stevens of
Byers	Hopkins	Pendray	Decatur
Corwin	Hush	Roelofs	Valentine
Dewey	Husted		

Absent or not voting, 16:

Bell of Crawford	Fisch	Knudson	Patterson
Calhoun	Harrington	Malone	Stevens of
Chrystal	Irwin	Miller	Wapello
Donohue	Kimberly	Millhene	Wilson
Doze			

Rule 8 was invoked.

The motion was lost.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 463, a bill for an act relating to the method and manner of handling and terminating trusts.

Also: That the House has adopted the conference report, concurred in the amendments contained therein and passed the following bill in which the concurrence of the House was asked:

Senate File 320, a bill for an act relating to the sale and distribution of beer.

VIRGIL LEKIN, *Chief Clerk.*

Senator Shangle moved that the Senate recess until the fall of the gavel, which motion prevailed.

At the fall of the gavel the Senate reconvened, President pro tempore Harold L. Irwin presiding.

Senator Pendray was granted unanimous consent to return to the consideration of House messages.

HOUSE MESSAGE CONSIDERED

House File 463, a bill for an act to amend chapter four hundred fifteen (415), Code, 1931, and providing for the method and manner of handling and terminating trusts created as a part of the plan of reorganization of state banks, savings banks and trust companies, and providing for the manner and method of liquidation and distribution of the assets, the appointment of the superintendent of banking as receiver, the designation of the attorney general or assistants as attorney for the superintendent of banking in the liquidation and distribution; providing the method and manner of filing claims against the state sinking fund for public deposits; and providing rules of construction, repealing all acts in conflict, and providing for service by publication.

The bill was read first and second times and referred to the sifting committee.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Calhoun, 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 320.

JOHN N. CALHOUN, *Chairman Senate Committee.*

DEWEY E. GOODE, *Chairman House Committee.*

The report was adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File 320.

BILL SENT TO THE GOVERNOR

Senator Calhoun from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 23rd day of April, 1935, sent to the Governor for his approval Senate File 320.

JOHN N. CALHOUN, *Chairman.*

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had signed on April 23, 1935, the following bills: Senate Joint Resolution 8, Senate Files 26, 113, 128, 143, 144, 185, 300, 321, 343, 357, 359 and 406.

SPECIAL COMMITTEE APPOINTED

I hereby appoint, in accordance with the provisions of the law, the following members as the members of the committee on retrenchment and reform, to-wit: Senators D. W. Kimberly, M. X. Geske, Roy E. Stevens, Homer Hush and G. A. Wilson.

HAROLD L. IRWIN, *President pro tempore.*

Senator Reese was granted unanimous consent to have the following printed in the Journal:

Ere the hour arrives to adjourn sine die,
By the Senate clock it has long been nigh,
Should we not pause for an inventory
To search our record for deserved glory?

If this we would do, an honest confession,
Would reveal that our efforts throughout the session,
When judged by effects of the laws we have "writ,"
Will not with the people make such a big "hit."

O! yes we extend the debtors act,
We couldn't do else in the face of the fact.
Though conditions are better (?) they're as bad as the worst,
In making that statement the last should be first.

We also looked in on the liquor commission,
By committee appointed to make inquisition,
Their report we're still waiting to scrutinize,
We hope it's not bad; can it be otherwise?

The sale of some warrants we also observed,
From the statutes our officials never had swerved,
Would that as much could truly be said,
Of some of our statutes that seem to be dead.

A Homestead exemption bill was enacted,
Refunds to big interests it would have subtracted,
But home-owners still will continue to pay,
The Governor's veto was given full sway.

A chain store tax, O! what a misnomer
Consumers will pay it, yes e'en the home-owner,
Amendments were futile the vote had been set,
In a caucus or somewhere, I haven't learned yet.

On appropriations we still disagree,
Conference reports to the House are a spree
If it comes to the point of who most can endure,
Then gluttons for punishment they are I am sure.

A feeble attempt to regulate beer,
A clean-up much needed from rumors we hear,
Is still in committee quite careful and keen
To avoid regulation of evils unseen.

But why continue to fume and froth,
The public dear folks, are already quite wroth.
Let's start that clock and be on our way,
Hope the atmosphere clears ere the bills are to pay.

FRED W. NELSON.

Here's to you old pals, may you all live a thousand years. But may I live just one day less as I wouldn't want to be here when you have all gone away.

PAUL SCHMIDT.

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Wilson moved that the President appoint a committee of three to wait on the Governor and notify him that the Senate was ready to adjourn sine die and to ascertain whether or not he had any further communication to lay before the Senate. The motion prevailed.

The President appointed as such committee, Senators Wilson, Goetsch and Reese.

REPORT OF SPECIAL COMMITTEE

The committee appointed to wait upon the Governor reported that it had performed its duty and the Governor stated that he appreciated the support and cooperation he had received from the members of the Senate during the Forty-sixth General Assembly.

The report was accepted and the committee discharged.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to adjourn sine die.

COMMITTEE TO NOTIFY THE HOUSE

Senator Pendray moved that a committee of three be appointed to notify the House that the Senate was ready to adjourn sine die. The motion prevailed.

The President appointed as such committee Senators Pendray, Mason and Anderson.

REPORT OF SPECIAL COMMITTEE

The committee appointed to notify the House that the Senate was ready to adjourn sine die returned and announced it had performed its duty.

The report was accepted and the committee was discharged.

FINAL ADJOURNMENT

The hour of five o'clock p. m. having arrived, President pro tempore Harold L. Irwin declared the Senate of the Forty-sixth General Assembly adjourned sine die.

HISTORY OF SENATE BILLS IN SENATE

SENATE FILES AND JOINT RESOLUTIONS PASSED AND APPROVED

3, 4, 15, 20, 22, 26, 32, 34, 35, 39, 41, 49, 50, 52, 57, 59, 62, 65, 66, 67, 70, 72, 76, 79, 80, 82, 101, 102, 103, 107, 113, 117, 118, 121, 125, 126, 128, 136, 143, 144, 150, 159, 174, 176, 182, 184, 185, 199, 201, 203, 207, 213, 222, 223, 227, 238, 249, 254, 273, 289, 290, 291, 292, 293, 294, 297, 298, 299, 300, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 323, 329, 335, 340, 343, 357, 359, 360, 364, 366, 367, 370, 372, 373, 374, 375, 378, 379, 380, 385, 386, 388, 389, 391, 392, 393, 394, 395, 396, 397, 398, 401, 406.
S. J. R. 1, 7 and 8.

PASSED BY BOTH HOUSES, SENT SECRETARY OF STATE

RECORD OF EACH SENATE BILL

S. F.	Page	S. F.	Page
1 By Hopkins. Election ballots, names of candidates for same office.		6 By Schmidt. Expenditures for fire protection at state institutions.	
Introduced, placed on file.....	33	Introduced, placed on file.....	38
Referred	112	Referred	112
Withdrawn, placed on calendar..	426	Recommend indefinite postponement	641
Made special order.....	675		
Passed; ayes 36, nays 6.....	779		
2 By Mullaney. Exempting certain motor vehicles from state license fee.		7 By Mullaney. General execution for balance.	
Introduced, placed on file.....	35	Introduced, placed on file.....	41
Referred	112	Referred	112
Recommend passage	293	Withdrawn, referred.....	245
Recommend indefinite postponement	293	Referred	963
Withdrawn	312		
3 By Kimberly. Purchase of property at tax sale by cities.		8 By Reese. Exempting radio receiving sets from taxation.	
Introduced, placed on file.....	35	Introduced, placed on file.....	95
Referred	112	Referred	112
Recommend passage	129	Withdrawn	344
Amendment filed	141		
Amended	141	9 By Husted. Property relief act; equalization and partial replacement.	
Passed; ayes 46, nays none..	141-142	Introduced, placed on file.....	95
Received in Senate.....	173	Referred	112
Reported enrolled	182	Withdrawn	140
Signed by President	182		
Sent to Governor.....	182	10 By Schmidt. Notaries public, appointment, powers, duties.	
Signed by Governor.....	194	Introduced, placed on file.....	96
4 By Kimberly. Notice of tax sale, cost of publication.		Referred	112
Introduced, placed on file.....	35	Recommend indefinite postponement	168
Referred	112		
Recommend passage	129	11 By Schmidt. Capitalization of state and savings bank and trust companies.	
Amendment filed	140	Introduced, placed on file.....	95
Amended	140	Referred	112
Passed; ayes 45, nays none.....	140	Recommend indefinite postponement	503
Received in Senate.....	198		
Reported enrolled	213	12 By Harrington. Disbarment of attorneys, revocation or suspension of license.	
Signed by President.....	214	Introduced, placed on file.....	95
Sent to Governor.....	242	Referred	112
5 By Schmidt. Employee on switch engine, number, penalty.		Recommend passage	565
Introduced, placed on file.....	38	Sifting committee	963
Referred	112		
Recommend indefinite postponement	524		

S. F.	Page
13 By Harrington. Rule of evidence to comply with standard care of equipment and operation of motor vehicle or machinery on public highway.	
Introduced, placed on file.....	96
Referred	112
Sifting committee	963
14 By Shaw. Extending period of redemption on foreclosures.	
Introduced, placed on file.....	96
Referred	112
Withdrawn	245
15 By Hush. Permits for refunds on motor fuel license fees, to be permanent.	
Introduced, placed on file.....	96
Referred	112
Recommend passage	293
Passed; ayes 38, nays none.....	343
Received back	634
Reported correctly enrolled....	648
Signed by President.....	648
Sent to Governor.....	720
Signed by Governor.....	720
16 By Meyer. Appointment of county treasurer as receiver of income from real estate.	
Introduced, placed on file.....	108
Referred	112
Without recommendation	640
Sifting committee	963
17 By Shaw. Deposit of public funds, payment of interest.	
Introduced, placed on file.....	108
Without recommendation	730
Sifting committee	963
18 By Calhoun. Appeal in action of forcible entry and detainer of real estate, bond, appeal.	
Introduced, referred	114
Recommend passage	291
Passed; ayes 45, nays none.....	312
19 By Malone. Eradication of noxious weeds.	
Introduced, referred	114
Recommend passage	354
Passed; ayes 43, nays none.....	474
20 By Irwin, Roelofs, Crystal, Shaw, Anderson, Hopkins, Driscoll and Geske. Basic science bill.	
Introduced, referred	114
Recommend amendment and passage	417
Made special order.....	471
Amendments filed	527
Amended	535
Amendments filed	554
Amended	555
Amendment filed	544
Amended	556
Amendment filed	560, 561, 562
Amended	560, 561, 562
Passed; ayes 41, nays 7.....	563
Received back	651
Concurrence by Senate.....	797
Passed as concurred in.....	801
Reported enrolled	859
Signed by President.....	859
Sent to Governor.....	859
Signed by Governor.....	912

S. F.	Page
21 By Mullaney and Harrington. Purchase of interstate bridges by state executive council.	
Introduced, referred	114
Sifting committee	963
22 By Corwin. Emergency fund levy by special charter cities, provision for funds.	
Introduced, referred	115
Passed; ayes 45, nays none.....	158
Received back	273
Reported enrolled	288
Signed by President.....	288
Sent to Governor.....	288
Signed by Governor.....	306
23 By Corwin. Millage levy for improvements by special charter cities.	
Introduced, referred	115
Recommend amendment and passage	152
Passed; ayes 47, nays 1.....	165
24 By Baldwin. Issuance of patent to Martha Grace to certain land in Dubuque county.	
Introduced, referred	119
Withdrawn	532
25 By Baldwin. Prohibiting sale of beer on Sunday.	
Introduced, referred	120
Report without recommendation	325
Sifting committee	963
26 By Millhone. Speed on highways, fixing minimum.	
Introduced, referred	120, 121
Recommend amendment and passage	564
Made special order.....	633
Amendment filed	724
Substitute amendment filed....	724
Amended	724
Passed; ayes 41, nays 2.....	725
Received back	1264
Reported enrolled	1319
Signed by President.....	1320
Sent to Governor.....	1320
Signed by Governor.....	
27 By Millhone. Verdicts by nine or more jurors in civil cases.	
Introduced, referred	121
Withdrawn	633
28 By Elthon. Legal rate of interest on financial obligations.	
Introduced, referred	121
Withdrawn, placed on calendar	341
H. F. 106 substituted.....	475
29 By Calhoun and Beardsley. Lobbying by state officials.	
Introduced, referred	121
Withdrawn, placed on calendar.	378
Amendment filed	512
Failed	513
30 By Calhoun. Taxable property, including tractors.	
Introduced, referred	123
Recommend indefinite postponement	259
Sifting committee	963

S. F.	Page
31 By Doze. Telegraph and telephone service subject to unfair discrimination.	
Introduced, referred	123
Withdrawn, placed on calendar	426
Passed; ayes 29, nays 1	604
32 By Hopkins. Appropriation for blind students, college expenses.	
Introduced, referred	124
Recommend passage	143
Passed; ayes 43, nays 1	153
Received back	274
Reported enrolled	283
Signed by President	288
Sent to Governor	288
Signed by Governor	367
33 By Emergency Legislation Committee. Extension of mortgage moratorium law.	
Introduced, placed on calendar	124, 125
Withdrawn	153
34 By Emergency Legislation Committee. Extension of foreclosure on real estate mortgages.	
Introduced, placed on calendar	125
Made special order	125
Amendment filed	130, 131, 132
Amended	130, 131, 132
Amendment filed	127
Amendment withdrawn	132
Amendments filed	133, 134
Amended	133, 134
Passed; ayes 50, nays none	134
Received back	152
Reported enrolled	168
Signed by President	169
Sent to Governor	169
Signed by Governor	194
35 By Baldwin, Reese, Stevens of Decatur, Meyer, Miller, Mason, Chrystal, Geske, Moore, Malone, Aschenbrenner, Valentine, Goetsch, Doze, Shangle, Irwin, Bell, Mullaney, Driscoll, Grunewald, McArthur, Stevens of Wapello, Harrington. Designating October twelfth as Columbus Day.	
Introduced, referred	129
Report without recommendation	403
Action deferred	347, 371
Amendments filed	403
Amended	403
Passed; ayes 28, nays 3	404
Received back	677
Concurrence	816
Report enrolled	859
Signed by President	859
Sent to Governor	859
Signed by Governor	912
36 By Knudson. Abandonment of railway stations without authority.	
Introduced, referred	129
Recommend amendment and passage	524
Sifting committee	963
37 By Driscoll. Construction and equipment of cabooses.	
Introduced, referred	129
Recommend amendment and passage	525
Sifting committee	963

S. F.	Page
38 By Berg. Appropriation to Iowa State Teachers College.	
Introduced, referred	129
Withdrawn	193
39 By Chrystal. Appropriation covering inaugural ceremonies.	
Introduced, referred	137
Recommend amendment and passage	219
Committee amendment filed	234
Amended	234
Passed; ayes 49, nays none	235
Received back	532
Reported enrolled	548
Signed by President	548
Sent to Governor	549
Signed by Governor	591
40 By Calhoun. State officials and employees furnishing information to members of General Assembly, penalty.	
Introduced, referred	137
Withdrawn, placed on calendar	378
Amendments filed	523
Amended	523
Passed; ayes 38, nays none	523
41 By Corwin. Legalizing transfer of money by city council of Muscatine, Iowa.	
Introduced, referred	127
Recommend passage	156
Passed; ayes 46, nays 1	190
Received back	251
Reported enrolled	262
Signed by President	263
Sent to Governor	290
Signed by Governor	290
42 By Harrington. Licensing chain stores, collection and allocation of revenue.	
Introduced, referred	138
Withdrawn	601
43 By Reese. Limiting length of trains.	
Introduced, referred	138
Withdrawn, placed on calendar	508
Sifting committee	963
44 By Husted. Apportionment of taxes, allocation retail sales tax.	
Introduced, referred	138
Withdrawn	508
45 By Berg. Park commissioners, powers and duties.	
Introduced, referred	145
Withdrawn	262
46 By Berg. Monuments and memorial halls in public parks and grounds.	
Introduced, referred	145
Withdrawn	825
47 By Harrington. Authorizing banks and trust companies to invest in mortgages and securities of National Housing Act.	
Introduced, referred	148
Recommend passage	277
Made special order	288
Withdrawn	825

S. F.	Page
48 By Shaw. Counsel for minors accused of indictable offenses.	
Introduced, referred	151
Recommend passage	766
Sifting committee	963
49 By Byers and Irwin. Certain limitations on members of examining boards, removing limitation from nurse examining boards.	
Introduced, referred	155
Recommend passage	335
Action deferred	372
Passed; ayes 41, nays 1	374
Reported enrolled	914
Signed by President	914
Sent to Governor	929
Signed by Governor	938
50 By Byers and Irwin. Professional practice act; powers and duties of nurse examiners, secretary thereto, expense, administration.	
Introduced, referred	156
Action deferred	372
Amendment filed	376
Amended	376
Passed; ayes 45, nays 1	376
Title amended	376
Received back	974
Reported enrolled	973
Signed by President	986
Sent to Governor	986
Signed by Governor	1042
51 By Valentine, Irwin, Stevens of Wapello, Geske. Anticipatory warrants, issuance, refunding outstanding issues.	
Introduced, referred	157
Report without recommendation	505
Sifting committee	958
Recommend, placed on calendar	980
Withdrawn	1029
52 By Stanley. Larceny in nighttime.	
Introduced, referred	161
Report without recommendation	293
Passed; ayes 35, nays none	344
Received back	876
Report enrolled	893
Sent to Governor	893
Signed by Governor	912
53 By Shaw, Bell, Dewey, Driscoll, Berg, Mason. Homestead exemption.	
Introduced, referred	161
Withdrawn, placed on calendar	508
Made special order	593
H. F. 88 substituted	773
Sifting committee	963
54 By Malone. Assessments on moneys and credits, place of assessment.	
Introduced, referred	166
Report without recommendation	829
Sifting committee	963
55 By Malone. Contesting seat in General Assembly, cost bond.	
Introduced, referred	167
Recommend amendment and passage	258
Amendments filed	275
Amended	275
Failed	276

S. F.	Page
56 By Shangle. Contracts for payment of money, payable in any kind of legal tender.	
Introduced, referred	170
Recommend indefinite postponement	291
Withdrawn	341
57 By Emergency Legislation Committee. Debtor's bill; heads of families increased.	
Introduced, placed on calendar ..	170
Amendment filed	183
Amended	183
Passed; ayes 44, nays none	184
Received back	194
Reported enrolled	194
Signed by President	194
Sent to Governor	194
Signed by Governor	195
58 By Baldwin and Harrington. Iowa Liquor Control Commission, defining powers, duties, limiting licenses under penalties.	
Introduced, referred	179, 180
Sifting committee	963
59 By Emergency Legislation Committee. Contracts for sale of real estate moratorium on foreclosure.	
Introduced, placed on calendar ..	180
Made special order	190
Amendments filed	199
Amended	199
Passed; ayes 47, nays none	203
Received back	274
Made special order	274
Concurrence	284, 285, 286
Passed as amended; ayes 43, nays none	287
Received back	290
Reported enrolled	298
Sent to Governor	298
Signed by Governor	329
60 By Mason. State aid for farm bureau.	
Introduced, referred	186
Withdrawn, placed on calendar ..	399
Withdrawn	621
61 By Stanley. Joining of parties in actions on questions of general interest.	
Introduced, referred	188
Recommend amendment and passage	566
Made special order	672
Amendment filed	941
Amended	941
Action deferred	942
Amendment filed	943
Amendment filed	943, 944
Amended	944
Passed; ayes 29, nays 11	944
Title amended	945
62 By Hopkins. Legalization of certain acts and proceedings of town council of Dallas Center.	
Introduced, referred	188
Withdrawn, placed on calendar ..	494
Amended	595
Passed; ayes 37, nays none	596
Reported enrolled	1260
Signed by President	1260
Sent to Governor	1260
Signed by Governor	1379

S. F.	Page	S. F.	Page
63 By Kimberly. Election ballots, providing separate ballots where all names cannot be placed on voting machine. Introduced, referred	195	71 By Wilson. Income tax, retail sales tax, computation. Introduced, referred	217
Sifting committee	963	Report without recommendation	829
64 By Schmidt. Games of chance, forfeiture of property. Introduced, referred	197	Sifting committee	963
Recommend indefinite postponement	293	72 By McArthur. Loaning funds belonging to state institutions under supervision state board of education. Introduced, referred	222
65 By Judiciary Committee No. 1. Counties refunding primary road funds over outstanding indebtedness. Introduced, placed on calendar	197	Recommend passage	309
Amendment filed	215	Passed; ayes 43, nays none	350
Amended	215	Received back	572
Title amended	215	Reported enrolled	584
Passed; ayes 45, nays none	216	Signed by President	584
Received back	266	Sent to Governor	584
Concurrence	266	Signed by Governor	591
Passed with concurrence; ayes 41; nays none	266	73 By Doze. Examination and qualification of mine inspectors. Introduced, referred	222
Reported enrolled	274	Withdrawn	274
Signed by President	274	74 By Hopkins. Payment of bonds for members of finance committee under state board of education. Introduced, referred	222
Sent to Governor	288	Withdrawn	340
Signed by Governor	329	75 By Hopkins. Payment of bonds for members of finance committee of state board of education. Introduced, referred	222
66 By Nelson. Fixing amount of treasurer's bond for each state institution under control of board of education. Introduced, referred	198	Recommend indefinite postponement	309
Recommend passage	309	Withdrawn	399
Passed; ayes 39, nays none	348	76 By Cities and towns. Establishing motor vehicle testing machines, maintenance, operation. Introduced, placed on calendar	226
Received back	572	Amendment filed	245
Reported enrolled	584	Amended	246
Signed by President	584	Action deferred	371, 401
Sent to Governor	584	Amendment filed	483
Signed by Governor	591	Substitute amendment filed	485
67 By Departmental Affairs Committee. Transfer of duties from cigarette and oleomargine tax department to state comptroller. Introduced, placed on calendar	213	Amended	485
Amended	235	Received back	1052
Passed; ayes 49, nays none	236	Concurrence	1115
Received back	274	Passed with concurrence; ayes 44, nays none	1115
Reported enrolled	288	Reported enrolled	1319
Signed by President	288	Signed by President	1320
Sent to Governor	288	Sent to Governor	1321
Signed by Governor	306	Signed by Governor	1321
68 By Shangle. Execution sale, plan of division of land. Introduced, referred	213	77 By Kimberly. Penalty for bootlegging. Introduced, referred	226
Recommend indefinite postponement	292	Sifting committee	963
Placed on calendar	401	78 By Irwin. Certain exemption under personal income tax. Introduced, referred	227
Amendment filed	636	Withdrawn, placed on calendar	426
Amended	636	Made special order	503
Failed	637	Amendment filed	571
69 By Shangle. Retail sales tax. Introduced, referred	212	Amended	572
Withdrawn, placed on calendar	671	Amendment filed	575
Sifting committee	963	Amended	576
70 By Grunewald. Iowa school for deaf, reports to state comptroller. Introduced, referred	213	Failed	576
Recommend passage	309	79 By Public Schools Committee. Payment of claims against school districts. Introduced, placed on calendar	233
Passed; ayes 42, nays none	349	Amendment filed	263
Received back	894		
Reported enrolled	914		
Signed by President	914		
Sent to Governor	914		
Signed by Governor	939		

S. F.	Page
Amended	263
Passed; ayes 40, nays 1.....	264
Received back	428
Concurrence	482
Passed with concurrence; ayes 40, nays none.....	483
Reported enrolled.....	508
Signed by President.....	509
Sent to Governor.....	509
Signed by Governor.....	548
80 By Hopkins. High school tuition and transportation, cost, expense.	
Introduced, referred	233
Recommend passage	336
Passed; ayes 32, nays 9.....	373
Received back	894
Concurrence	942
Passed with concurrence; ayes 29, nays 2.....	942
Reported enrolled	986
Signed by President.....	986
Sent to Governor.....	986
Signed by Governor.....	1021
81 By Corwin. Authorizing municipalities, all taxing dis- tricts secure relief under fed- eral bankruptcy act.	
Introduced, referred	285
Recommend amendment and pas- sage	566
H. F. 146 substituted.....	820
Withdrawn	836
82 By Public School Commit- tee. School officers, election, appointment, tenure of office.	
Introduced, placed on calendar.	239
Amendments filed	264
Amendments lost	264
Amendment filed	265
Amended	265
Passed; ayes 44, nays none.....	265
Received back	496
Reported enrolled	531
Signed by President.....	531
Sent to Governor.....	532
Signed by Governor.....	548
83 By Reese. Selection of offi- cial newspapers in counties.	
Introduced, referred	239
Sifting committee	963
84 By Hopkins. Contracts with teachers in public schools.	
Introduced, referred	244
Withdrawn	340
85 By Hopkins. Campaign lit- erature, bills, folders, distri- bution.	
Introduced, referred	244
Recommend passage	277
Amendments filed and adopted.	330
Passed; ayes 27, nays 19.....	331
Title amended	331
86 By Mason. Power of board of supervisors to fix salary of county engineer.	
Introduced, referred	245
Sifting committee	963
87 By Wilson. Investment of funds.	
Introduced, referred	252
Recommend passage	730
Passed; ayes 28, nays 1.....	841

S. F.	Page
88 By Harrington. Assess- ment of property for taxa- tion.	
Introduced, referred	262
Report without recommendation	829
Sifting committee	963
89 By Meyer. Sanitary regu- lations for production and sale of dairy products.	
Introduced, referred	262
Committee recommend passage.	488
Sifting committee	963
Recommend placed on calendar.	1256
Referred	1328
90 By Husted. Tampering with speedometers on motor vehicles.	
Introduced, referred	262
Sifting committee	963
91 By Knudson and Stanley. Land surveys and perpetuat- ing records.	
Introduced, referred	268
Recommend passage	567
Passed; ayes 36, nays none.....	820
92 By McArthur. Stealing from motor vehicles, evidence, penalty.	
Introduced, referred	268
Sifting committee	963
93 By Shangle. Meetings of boards of township trustees.	
Introduced, referred	271
Recommend passage	465
Passed; ayes 35, nays 2.....	775
94 By Harrington. Theft from motor vehicles, trailers; defi- nition, penalty.	
Introduced, referred	271
Sifting committee	963
95 By Billingsley. Iowa naval militia, discipline under.	
Introduced, referred	271
Recommend passage	612
Failed	862
96 By Reese. Practice of podiatry.	
Introduced, referred	271
Recommend indefinite postpone- ment	613
97 By Fisch. Pupils attending high school outside their home districts.	
Introduced, referred	271
Withdrawn	399
98 By Shaw. License fees on motor vehicle trailers.	
Introduced, referred	282
Sifting committee	963
Referred	1328
99 By Patterson. Purchase, transportation and posses- sion of liquor for personal use.	
Introduced, referred	282
Recommend passage.....	325
Action deferred	350, 371
Amendment filed.....	377
Amended	377
Failed	377

S. F.	Page	S. F.	Page
100 By Schmidt. Appropriation for Iowa City.		Introduced, placed on calendar.	296
Introduced, referred.....	282	Action deferred.....	352, 373, 401, 408
Recommend indefinite postponement	526	H. F. 141 substituted.....	534
Referred,	583	Sifting committee.....	963
101 By Pharmacy committee. Practice of pharmacy, penalty.		109 By Anderson and Shaw. Police judge to be an attorney.	
Introduced, placed on calendar.	283	Introduced, referred.....	296
Passed; ayes 48, nays none.....	302	Recommend passage	542
Received back	497	Sifting committee.....	963
Reported enrolled	531	110 By Anderson. Poll taxes.	
Signed by President.....	531	Introduced, referred.....	297
Sent to Governor.....	532	Recommend passage.....	735
Signed by Governor.....	548	Sifting committee.....	963
102 By Pharmacy Committee. Practice of pharmacy, clarifying classes.		111 By Anderson. Old age assistance tax.	
Introduced, placed on calendar..	283	Introduced, referred	297
Passed; ayes 44, nays none.....	303	Recommend passage.....	830
Received back	497	Sifting committee.....	963
Reported enrolled	531	112 By Cities and Towns Committee. Bidder's bill; tax sales, redemption, purchase and bidding by county auditor or deputy.	
Signed by President.....	531	Introduced, placed on calendar.	298
Sent to Governor.....	532	Made special order.....	413
Signed by Governor.....	548	S. F. 150 substituted.....	452
103 By Pharmacy Committee. Pharmacy, practice, license, fix and determine conditions, qualifications.		Sifting committee.....	963
Introduced, placed on calendar..	283	113 By Agriculture Committee. Revising and modernizing laws regarding co-operative corporations with or without capital stock.	
Passed; ayes 46, nays none....	304	Introduced, placed on calendar.	298
Reported enrolled	531	Made special order	413
Signed by President.....	531	Action deferred	372
Sent to Governor.....	532	Amendment filed	401
Signed by Governor.....	548	Amendment filed	384
104 By Baldwin. Investment of insurance companies.		Amended	401
Introduced, referred.....	290	Received back	776
Recommend passage	477	Concurrence	1225
Sifting committee	963	Passed with concurrence; ayes 41, nays none	1226
105 By Baldwin. Reserve fund requirements in estimating profits of insurance companies.		Reported enrolled	1384
Introduced, referred.....	290	Signed by President.....	1384
Recommend passage	789	Sent to Governor.....	1384
Sifting committee	963	Signed by Governor.	
106 By Donahue. Nuisance, defining, airports near.		114 By Chrystal. Improvement of state-owned meandering lakes, streams, appropriation.	
Introduced, referred	296	Introduced, referred	305
Recommend indefinite postponement	640	Sifting committee.....	963
Action deferred	483	115 By Departmental Affairs Committee. Establishing conservation commission and providing adequate system.	
Withdrawn	674	Introduced, placed on calendar.	305
107 By Appropriations Committee. Election contest—Pelzer-Malone.		Action deferred	385, 386
Introduced, placed on calendar..	296	Amendments filed	386, 387, 388, 389, 390
Failed	349	Amended	386-390
Motion to reconsider.....	649	Passed; ayes 39, nays 10.....	390
Passed; ayes 44, nays 1.....	650	Received back.....	634
Received back	933	Concurrence rejected.....	802, 804
Concurrence	987	Conference committee appointed	876
Passed with concurrence; ayes 39, nays 1	987	Conference report adopted.....	975-981
Reported enrolled	1051	Title amended.....	1023
Signed by President	1052	Passed with concurrence; ayes 34, nays 2	1023
Sent to Governor	1052	Received back	1119
Signed by Governor.....	1103	Second conference committee appointed	1174
108 By Departmental Affairs Committee. Legalizing compensation paid as salaries to public officials.		H. F. 507 substituted.....	1265

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116 By Elthon, Mason, Malone, Shaw. Benevolent protective associations, defining, operation, insurance commissioner under.	
Introduced, referred	306
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117 By Doze. Legalizing acts of county auditor and board of supervisors Wayne county, Iowa.	
Introduced, referred.....	325
Report without recommendation	525
Passed; ayes 41, nays none.....	596
Received back	974
Reported enrolled.....	986
Signed by President.....	986
Sent to Governor.....	986
Signed by Governor.....	1021
118 By Federal Coordination Committee. State banks and trust companies investing funds in and making loans under National Housing act.	
Introduced, placed on calendar.	324
Title amended	332
Passed; ayes 42, nays 2.....	332
Received back	394
Concurrence	969
Passed with concurrence; ayes 41, nays 1	969
Reported enrolled	1030
Signed by President	1030
Sent to Governor	1031
Signed by Governor.....	1042
119 By Doze. Permanent sealing of abandoned coal mines.	
Introduced, referred	327
Withdrawn	508
120 By Stanley. Severance of territory from an incorporated city or town.	
Introduced, referred	327
Recommend passage	542
Passed; ayes 39, nays none	819
121 By Ways and Means Committee. Exemption from taxation, suspension of taxes and remittance, persons receiving old age assistance.	
Introduced, placed on calendar.	328
Amendment filed	509
Title amended	509
Amendment filed	510
Amended	510
Passed; ayes 40, nays 1.....	510
Received back	915
Reported enrolled.....	938
Signed by President.....	938
Sent to Governor.....	938
Signed by Governor.....	986
122 By Mason. Approval of courts of investment of funds by fiduciaries.	
Introduced, referred	328
Recommend passage	432
Sifting committee.....	963
123 By Hopkins. School census, handicapped children, state aid.	
Introduced, referred	334
Withdrawn, referred	471
Recommend indefinite postponement	526
Rejected, placed on calendar.....	583
Sifting committee.....	963

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124 By Stevens of Wapello. Biennial appropriation bill.	
Introduced, referred	335
Recommend passage	1071
Made special order.....	1060
Amendments filed	1071
Amended	1104-1111
Amendments filed.....	1111, 1112, 1113
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Senate substitute for S. F. 124. By appropriations committee. Biennial appropriation bill. Substituted for senate file 124 ..	1144
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125 By Wilson. Legalizing corporate acts of Akron Domestic Building and Loan Association.	
Introduced, referred	335
Recommend passage	567
Passed; ayes 44, nays none.....	599
Received back	754
Reported enrolled	804
Signed by President	804
Sent to Governor	804
Signed by Governor.....	804
126 By Wilson. Legalizing fire and police pension ordinances.	
Introduced, referred	340
Recommend passage	626
Passed; ayes 37, nays none.....	623
Received back	914
Reported enrolled	939
Signed by President.....	939
Sent to Governor	939
Signed by Governor.....	986
127 By Wilson. Creating department for blind under labor bureau.	
Introduced, referred	340
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128 By Wilson. Indebtedness of counties for poor relief.	
Introduced, referred	340
Without recommendation.....	640
Referred	963
Recommend placed on calendar.....	1071
Amendments filed	1237
Passed; ayes 28, nays 14.....	1238
Received back	1339
Reported enrolled	1384
Signed by President	1384
Sent to Governor	1384
Signed by Governor.....	
129 By Baldwin. Authority to issue patent to land in Dubuque County.	
Introduced, referred	346
Recommend passage	593
Amendment filed	593
Amended	593
Passed; ayes 41, nays none.....	594

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130 By McArthur. Assessing preliminary expense in abandoned drainage projects.		138 By Fisch. Elections, duties of central committee, county chairman and chairwoman.	
Introduced, referred.....	346	Introduced, referred.....	359
Recommend passage.....	526	Recommend passage.....	478
Sifting committee.....	963	Passed; ayes 28, nays 17.....	947
131 By Elthon, Roelofs, Pendray and Anderson. State aid to farm bureaus, extension boards.		139 By Schmidt. Erection of State Historical Building, appropriation.	
Introduced, referred.....	347	Introduced, referred.....	359
Recommend passage.....	432	Recommend indefinite postponement.....	1071
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Amendment filed.....	678	140 By Schmidt. Charging or blasting holes.	
Amendment.....	678	Introduced, referred.....	359
Substitute amendment filed.....	680	Recommend passage.....	465
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Amended.....	681, 682	Introduced, referred.....	360
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132 By Hopkins, Husted, Beardsley. Annual audit; exemptions.		142 By Schmidt. Financing automobiles, defining, interest, classification.	
Introduced, referred.....	352	Introduced, referred.....	370
Recommend amendment and passage.....	733	Withdrawn.....	587
Amended.....	971, 972	143 By Elthon and Corwin. Seed potato supply in Iowa.	
Passed; ayes 42 nays none.....	972	Introduced, referred.....	370
133 By Manufacture, Commerce and Trade Committee. Prohibiting sale of prison made goods.		Recommend passage.....	715
Introduced, placed on calendar.....	353	Amendment filed.....	843
Referred.....	496	Amended.....	843
Recommend amendment and passage.....	578	Passed; ayes 28, nays none.....	843
Made special order.....	649	Received back.....	1251
Amendments filed.....	793	Reported enrolled.....	1320
Amended.....	794, 795	Signed by President.....	1320
Motion to reconsider.....	825	Sent to Governor.....	1320
Motion adopted.....	1062	Signed by Governor.....	
Amendments filed.....	825	144 By Wilson. Tax levy for fire department maintenance.	
Amended.....	1063, 1064	Introduced, referred.....	370
Passed; ayes 43, nays 2.....	1065	Recommend passage.....	542
134 By Donahue. License fee on weighing machines.		Action deferred.....	793
Introduced, referred.....	353	Amendment filed.....	897
Sifting committee.....	963	Amended.....	898
135 By Chrystal. Disbursement of primary road fund.		Passed; ayes 43, nays 4.....	898
Introduced, referred.....	353	Received back.....	1301
Recommend passage.....	504	Reported enrolled.....	1384
Action deferred.....	847	Signed by President.....	1384
Amended.....	847, 1024	Sent to Governor.....	1384
Passed; ayes 28, nays 5.....	1025	Signed by Governor.....	
136 By County and Township Affairs Committee. Primary road bonds, interest redemption fund.		145 By Wilson. Posting bond by probate officers to sell or mortgage property satisfying debts and charges.	
Introduced, placed on calendar.....	353	Introduced, referred.....	371
Passed; ayes 40, nays none.....	511	Sifting committee.....	963
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Concurrence.....	970	Recommend passage.....	432
Passed with concurrence; ayes 44, nays none.....	970	Passed; ayes 28, nays none.....	841
Reported enrolled.....	1030	Received back.....	1133
Signed by President.....	1030	Referred.....	1141
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137 By Pendray. Textbooks in public schools.		Sifting committee.....	963
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148 By Anderson. Exemption of payment of sales tax by political subdivisions.	
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149 By Anderson. Fees charged by county recorder.	
Introduced, referred	389
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150 By Husted. Taxes and collection. (Bidder's bill).	
Introduced, referred	390
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Made special order	471
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Amended	500
Passed; ayes 39, nays 2.....	501
Received back	572
Reported enrolled	584
Signed by President	584
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Signed by Governor	632
151 By Husted. Apportionment of certain special taxes.	
Introduced, referred	391
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152 By Dewey. Restrictions at certain state-owned lakes.	
Introduced, referred	391
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153 By Corwin. Compensation of boards of supervisors.	
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154 By Corwin. Election of township trustees.	
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155 By McArthur. Status of fire chief under city manager plan.	
Introduced, referred	396
Recommend passage	626
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156 By State Planning Committee. Livestock, direct buying.	
Introduced, placed on calendar.	396
Referred	413
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Amendment filed	653
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Motion prevailed	945
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157 By Beardsley. Subjects required in consolidated districts.	
Introduced, referred	397
Recommend passage	478
Passed; ayes 40, nays none....	601
158 By Bell of Des Moines. Licensing of agents.	
Introduced, referred	397
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159 By Livestock and Dairy Committee. Purchase, sale, handling cream, milk control.	
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Amendment filed	745
Amended	745
Passed; ayes 37, nays 2.....	746
Received back	1052
Concurrence	1118
Passed with concurrence; ayes	
45, nays none	1119
Reported enrolled	1171
Signed by President	1172
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160 By Reese. Appointment of referees in probate matters.	
Introduced, referred	405
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161 By Reese. Fire protection, safety, during exhibition of motion pictures in theatres, amusement places and public buildings.	
Introduced, referred	406
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162 By Elthon. Liens for services of stallions and jacks.	
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163 By Motor Vehicle Committee. Trucking bill, supervision and regulation of private and common carriers under railroad commissioners, tax levy, collection.	
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164 By Chrystal and Roelofs. Public parks established by boards of supervisors, improvement, maintenance.	
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165 By Motor Vehicle Committee. Lights on tractors, trucks, road graders, on highways.	
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166 By Grunewald, Nelson, Shaw. Motor license fuel, tax, collection, administration.	
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167 By Husted, Hopkins, Nelson. Creating state liquor damage fund, payment, defining powers, duties.	
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168. By Calhoun, Elthon, Schmidt. Regulating practice of osteopathy and surgery.	
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169 By Berg. School buses, transportation of pupils, color.		Recommend placed on calendar..	1071
Introduced, referred	414	Sifting committee	1328
Sifting committee	963	179 By Shaw. Civil liability against motor truck opera- tors and owners.	
170 By Husted, Hopkins and Nelson. Replacement tax, al- locating proceeds to dis- tricts, administration.		Introduced, referred	424
Introduced, referred	414	Recommend passage	565
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Sifting committee	963	180 By Shaw. Redemption— debtor not liable, junior liens.	
171 By Grunewald. Dairy products, sale; defining milk and cream.		Introduced, referred	424
Introduced, referred	415	Sifting committee	963
Sifting committee	963	181 By Shaw and Billingsley. Notes and contracts executed prior to 1931, time of action.	
172 By Harrington. Chain stores, establishing, operat- ing, maintaining, licensing; taxing, collection, adminis- tration.		Introduced, referred	424
Introduced, referred	422	Report without recommendation	782
Recommend amendment and pas- sage	830	Sifting committee	963
Sifting committee	963	182 By Meyer. School of op- tometry, untruthful adver- tisements.	
173 By Pendray. Taxation for library funds.		Introduced, referred	425
Introduced, referred	426	Withdrawn, placed on calendar..	740
Sifting committee	963	Amendments filed	839
174 By Donahue. Redemption, execution by titleholder, sur- render of sheriff's certificate.		Amended	900
Introduced, referred	422	Passed; ayes 36, nays none.....	900
Recommend passage	627	Title amended	900
Passed; ayes 35, nays none.....	816	Received back	1484
Received back	1393	Reported enrolled	1503
Reported enrolled	1503	Signed by President	1503
Signed by President	1503	Sent to Governor	1503
Sent to Governor	1502	Signed by Governor.	
175 By Wilson. Appointment of city assessors.		183 By Schmidt. Automobile financing companies, super- vising, interest rates.	
Introduced, referred	423	Introduced, referred	425
Report without recommendation	749	Amendment filed and adopted..	579
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176 By Billingsley. Duration of judgments on promissory notes, secured by mortgage, without foreclosure.		Sifting committee	963
Introduced, referred	423	184 By Geske. Legalizing tem- porary transfer Clayton county, Iowa.	
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Rejected, placed on calendar....	612	Recommend passage	628
Made special order	618	Passed; ayes 29, nays none.....	844
Amendment filed	675	Received back	1220
Amended	675	Reported enrolled	1260
Passed; ayes 32, nays 4.....	676	Signed by President	1260
Received back	1149	Sent to Governor	1260
Reported enrolled	1209	Signed by Governor.	
Signed by President	1209	185 By Geske. Legalizing transfer of funds, Clayton county, Iowa.	
Sent to Governor	1209	Introduced, referred	425
Signed by Governor	1379	Recommend passage	628
177 By Schmidt. Marihuana, prohibiting sale, definition.		Passed; ayes 26, nays none.....	845
Introduced, referred	424	Received back	1220
Withdrawn	672	Reported enrolled	1260
178 By Byers. Jurisdiction of superior courts.		Signed by President	1260
Introduced, referred	424	Sent to Governor	1260
		Signed by Governor.	
		186 By Hush. Unfair discrimi- nation.	
		Introduced, referred	425
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		187 By Chrystal and Roelofs. Public parks within counties, empowering boards to estab- lish, maintain.	
		Introduced, referred	425
		Report without recommendation	737
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188 By Chrystal and Roelofs. Dams, construction, maintenance, operation; permits, license inspection.	
Introduced, referred	427
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189 By Roelofs. Membership in cooperation corporations.	
Introduced, referred	426
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190 By Chrystal. Powers of boards of architectural examiners.	
Introduced, referred	430
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191 By Chrystal. Tax levies, limitations for police equipment.	
Introduced, referred	431
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192 By Wilson. Police retirement or pension system; defining "widow".	
Introduced, referred	431
Recommend passage	748
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193 By Elthon. State bank, establishing, controlling, administration.	
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194 By Reese, Chrystal, Harrington, Roelofs, Knudson. License plates, displaying.	
Introduced, referred	431
Report amendment without recommendation	734
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195 By Husted. Standard forms of fire insurance policies, liability.	
Introduced, referred	433
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196 By Motor Vehicle Committee. State highway patrol, creating department.	
Introduced, placed on calendar	437
Referred	451
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197 By Agriculture Committee. Warehousing, unbonded, local boards.	
Introduced, placed on calendar	438
H. F. 242 substituted	805
Sifting committee	963
198 By Judiciary No. 2. Wine, spirits, beer, licensing, regulating, sale.	
Introduced, placed on calendar	439
Made special order	649
Amendments filed	877, 879, 887
Amended	
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Amended	902

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Amendments filed	905, 906
Amended	907
Passed; ayes 29, nays 20	907
199 By Beardley. Taxes, installments, interest.	
Introduced, referred	439
Recommend passage	736
Amendment filed	753
Amended	736
Received back	915
Reported enrolled	939
Signed by President	939
Sent to Governor	939
Signed by Governor	986
200 By Mullaney. Purchase and sale of eggs.	
Introduced, referred	439
Sifting committee	963
201 By Donahue. Compensation of county attorneys.	
Introduced, referred	439
Withdrawn, placed on calendar	740
Amendment filed	815
Passed; ayes 36, nays none	815
Received back	1227
Reported enrolled	1260
Signed by President	1649
Sent to Governor	1649
Signed by Governor	1379
202 By Judiciary No. 2. Committee. Liquor permits, issuance, revocation.	
Introduced, placed on calendar	439
Sifting committee	963
203 By Judiciary No. 2. Legalizing acts of The Times Company, Davenport.	
Introduced, placed on calendar	439
Passed; ayes 40, nays none	595
Received back	776
Reported enrolled	804
Sent to Governor	804
Signed by Governor	858
204 By Chrystal. Authorization of public bonds, vote required.	
Introduced, referred	440
Recommend passage	730
Sifting committee	963
205 By Beardley. Discharge of school teachers, appeal.	
Introduced, referred	440
Recommend passage	629
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206 By Moore and Baldwin. Taxation on incomes, corporation tax, retail sales.	
Introduced, referred	440
Withdrawn, placed on calendar	747
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Recommend placed on calendar	1325
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207 By Knudson. Powers of cities to levy tax.	
Introduced, referred	440
Recommend passage	626
Passed; ayes 27, nays none	850
Received back	1021
Reported enrolled	1114
Signed by President	1114
Sent to Governor	1114
Signed by Governor	1173

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208 By Agriculture Committee. Beef cattle producers' association, employees, executive committee.		218 By Mason. Removal of state appointive officers.	
Introduced, placed on calendar.	441	Introduced, referred	442
Passed; ayes 31, nays 1	860	Sifting committee	963
209 By McArthur. Warrants drawn by state fair board.		219 By Mason. Pipe line companies, excise tax, report, collection, distribution.	
Introduced, referred	441	Introduced, referred	443
Sifting committee	963	Sifting committee	963
210 By Baldwin. Term of office of L. G. Sigmarth, Dubuque county.		220. By Mason. Practice of chiropractors.	
Introduced, referred	441	Introduced, referred	443
Recommend passage	628	Withdrawn	720
Passed; ayes 37, nays none	824	221 By McArthur. Agricultural land, limiting tax levies.	
211 By Driscoll and Irwin. Maximum load permitted on motor vehicles.		Introduced, referred	442
Introduced, referred	441	Recommend passage	641
Recommend passage	782	Sifting committee	963
Referred	963	Committee report, placed on calendar	1002
Recommend placed on calendar	1071	Passed; ayes 37, nays none	1310
Sifting committee	1328	Received back	1478
212. By Shaw. Marginal release, assignment mortgages.		Reported enrolled	1503
Introduced, referred	441	Signed by President	1503
Recommend passage	732	Sent to Governor	1503
Referred	963	223. By McArthur. Anti-hog serum, school of instruction, permits.	
Recommend placed on calendar	1071	Introduced, referred	443
Sifting committee	1328	Recommend passage	909
213 By Malone. Legalizing corporate status of Cumberland Telephone Company.		Failed	946
Introduced, referred	441	Motion to reconsider	1026
Recommend passage	567	Received back	1300
Amendment filed	600	Reported enrolled	1319
Amended	600	Signed by President	1320
Passed; ayes 43, nays none	600	Sent to Governor	1320
Received back	1227	Signed by Governor	
Reported enrolled	1260	224 By Reese and Harrington. Horseracing; betting, revenue allocated to old age assistance fund.	
Signed by President	1260	Introduced, referred	444
Sent to Governor	1260	Report without recommendation	732
Signed by Governor	1379	Sifting committee	963
214 By Donahue. Applicants for old age assistance qualified as citizens.		225 By Wilson. Public school teachers, annuity retirement pension system.	
Introduced, referred	441	Introduced, referred	444
Recommend passage	526	Sifting committee	963
Passed; ayes 42, nays 1	948	226 By Schmidt. State athletic commission, powers, duties.	
215 By Donahue. Licensing motor vehicles.		Introduced, referred	444
Introduced, referred	442	Report without recommendation	733
Sifting committee	963	Sifting committee	963
216 By Berg. Compensation of councilmen.		227 By Shaw and Stanley. Corporations for pecuniary profit, expiration, extension.	
Introduced, referred	442	Introduced, referred	445
Recommend passage	626	Recommend amendment and passage	568
Sifting committee	963	Amended	752
217 By Mason. Fisch, Miller, Driscoll, Stevens of Decatur, Shangle, Reese, Malone, Goetsch, Chrystal, Aschenbrenner. State budget director, powers and duties.		Passed; ayes 39, nays none	753
Introduced, referred	442	Received back	1301
Withdrawn, placed on calendar	765	Reported enrolled	1790
Made special order (refused)	938	Signed by President	1384
Sifting committee	963	Sent to Governor	1384
		Signed by Governor	
		228 By Reese. School units, creating county boards, powers, duties.	
		Introduced, referred	445
		Report without recommendation	754
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229 By Hush. Release by mortgagee, penalty for failure.	
Introduced, referred	446
Report without recommendation	736
Action deferred	853
Sifting committee	1328
230 By County and Township Affairs Committee. Electric light and power companies, regulation, rate testing meters, liability.	
Introduced, placed on calendar	445
Referred	496
Recommend passage	640
Sifting committee	963
231 By County and Township Affairs Committee. Levy of poll tax on male citizens.	
Introduced, placed on calendar.	466
Sifting committee	963
232 By County and Township Affairs Committee. Levying, recording and collection road poll tax.	
Introduced, placed on calendar.	446
Sifting committee	963
233 By Shaw. Gravel beds in counties, purchase by individuals.	
Introduced, referred	446
Recommend passage	736
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234 By Chrystal and Shangle. Nomination and election of judges, nonpartisan election.	
Introduced, referred	447
Sifting committee	963
235 By Harrington. Preparation and publication of tax levy estimates.	
Introduced, referred	447
Recommend passage	748
Sifting committee	963
236 By Chrystal. Conservation areas connecting states, improvement, management.	
Introduced, referred	447
Sifting committee	963
237 By Kimberly. Tax levy by special charter cities.	
Introduced, referred	448
Recommend passage	749
Sifting committee	963
238 By Bell of Crawford. Investment of funds of veterans by guardians.	
Introduced, referred	447
Recommend passage	628
Sifting committee	1189
Recommend placed on calendar	1188
Passed; ayes 37, nays 1	1282
Received back	1478
Reported enrolled	1503
Signed by President	1503
Sent to Governor	1503
Signed by Governor.	
239 By Bell of Crawford. Redistricting state judicial districts, number of districts, judges.	
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240 By Bell of Crawford. Construction, equipment of school buses, transportation.	
Introduced, referred	448
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241 By Anderson. Fees collected by clerk of district court.	
Introduced, referred	449
Sifting committee	958
242 By Anderson. Taxation of cost in court actions.	
Introduced, referred	448
Sifting committee	963
243 By Shaw. Compromise of drainage and general taxes, refinancing.	
Introduced, referred	449
Sifting committee	963
244 By Harrington and Stevens. Execution of policies of insurance.	
Introduced, referred	454
Recommend passage	789
Sifting committee	963
245 By Calhoun. Banks and trust companies as fiduciaries.	
Introduced, referred	453
Report without recommendation	731
Sifting committee	963
Recommend placed on calendar.	1308
246 By Harrington. Transfer of moneys from domestic animal fund.	
Introduced, referred	453
Sifting committee	963
247 By Mullaney. Extension primary roads, maintenance.	
Introduced, referred	454
Recommend indefinite postponement	935
Sifting committee	963
248 By Kimberly. Appropriation emergency needs school districts.	
Introduced, referred	453
Withdrawn, referred	495
Recommend indefinite postponement	641
Sifting committee	1328
249 By Kimberly. Purchase of tax sale certificates in drainage districts.	
Introduced, referred	453
Recommend passage	789
Referred	1145
Amended	1309
Passed; ayes 35, nays none	1309
Received back	1381
Reported enrolled	1485
Signed by President	1485
Sent to Governor	1485
Signed by Governor.	
250 By Mason. Medical contracts, indigent poor.	
Introduced, referred	454
Sifting committee	963
251 By Anderson and Shaw. Gas tax refund to state, municipal units.	
Introduced, referred	455
Sifting committee	963

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252 By Anderson. Charging and collection of fees, clerk of district court.		263 By Schmidt. Conditional sales contracts.	
Introduced, referred	455	Introduced, referred	456
Sifting committee	963	Withdrawn, placed on calendar.	747
253 By Anderson. Charge and collection fees of jurors.		Sifting committee	963
Introduced, referred	454	264 By McArthur. Noxious weeds, eradication and control, commissioner, duties.	
Sifting committee	963	Introduced, referred	456
254 By Nelson and McArthur. Bonded warehouses for storage of grain, weighers, under railroad commissioners.		Sifting committee	963
Introduced, referred	454	265 By Reese. Personal injury, workmen's compensation, fund.	
Recommend passage	657	Introduced, referred	457
Sifting committee	963	Sifting committee	963
Report, placed on calendar	1002	266 By Reese. Transfer primary road funds to secondary construction funds, ratio.	
Amendment filed	1265	Introduced, referred	459
Amended	1265, 1266	Recommend indefinite postponement	627
Passed; ayes 45, nays none	1267	267 By Wilson. Establishing street railway systems.	
Received back	1301	Introduced, referred	457
Reported enrolled	1790	Sifting committee	963
Signed by President	1260	268 By Aschenbrenner. Form and contents of mortgages, deeds.	
Sent to Governor	1384	Introduced, referred	460
Signed by Governor.		Sifting committee	963
255. By Pendray. Interest on permanent school fund.		269 By Shangle. Compensation boards of supervisors, defining "committee service."	
Introduced, referred	454	Introduced, referred	460
Recommend amendment and passage	543	Withdrawn, placed on calendar.	739
Amendment filed	851	Sifting committee	963
Title amended	851	270 By Grunewald. Motor vehicle fuel oil, classification, posting prices.	
Passed; ayes 27, nays none	851	Introduced, referred	460
256 By Mason. Public nurses, discriminations by.		Recommend passage	716
Introduced, referred	455	Sifting committee	963
Recommend indefinite postponement	614	271 By Shangle. Creating general welfare bank, state supervision.	
257 By Bell and Reese. Regulating control of slot machines or weighing machines, power.		Introduced, referred	460
Introduced, referred	457	Report without recommendation	731
Report without recommendation	733	Sifting committee	963
Referred	963	272 By Chrystal. Granting franchises.	
Recommend placed on calendar	1071	Introduced, referred	460
Referred	1328	Sifting committee	963
258 By Bell, Aschenbrenner, Shangle. State electrical board, powers, duties.		273 By Insurance Committee. Lien conditions in insurance policies applied to old age assistance.	
Introduced, referred	455	Introduced, placed on calendar.	461
Sifting committee	963	Passed; ayes 31, nays none	842
259 By Chrystal and Roelofs. Creating county commission, powers, duties.		Received back	1230
Introduced, referred	456	Reported enrolled	1260
Sifting committee	963	Signed by President	1260
260 By Anderson. Bonds of county officers, payment by county.		Sent to Governor	1260
Introduced, referred	457	Signed by Governor.	
Sifting committee	963	274 By Mason and Mullaney. Election of county superintendent.	
261 By Anderson. Fees, charges and collection by county recorder.		Introduced, referred	459
Introduced, referred	457	Recommend indefinite postponement	724
Sifting committee	973		
262 By McArthur. Motor vehicle fuel, posting prices.			
Introduced, referred	456		
Recommend amendment and passage	717		
Sifting committee	963		

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275 By Educational Institutions Committee. Fire protection and insurance contracts under state board of education.	
Introduced, placed on calendar.	461
Sifting committee	963
276. Establishing permanent park boards.	
Introduced, referred to conservation	461
Sifting committee	963
277 By Calhoun. Publication of proceedings and discussion of both houses of legislature matter of record.	
Introduced, referred	461
Withdrawn, placed on calendar	747
Sifting committee	963
278 By Calhoun. Publication of straw ballots for candidates for election, penalty.	
Introduced, referred	462
Withdrawn, placed on calendar.	747
Sifting committee	963
279 By Malone. Mercantile business, prohibiting public organizations from entering.	
Introduced, referred	462
Sifting committee	958
280 By Beardsley and Calhoun. Taxation.	
Introduced, referred	462
Sifting committee	958
281 By Motor Vehicle Committee. Primary roads, powers, duties of boards of supervisors under.	
Introduced, placed on calendar.	462
Sifting committee	958
282 By Departmental Affairs Committee. Establishing state purchasing department.	
Introduced, placed on calendar.	466
Sifting committee	963
283 By Departmental Affairs Committee. Creating state department of public welfare.	
Introduced, placed on calendar.	465
Sifting committee	963
284 By Husted. Iowa state board of education to receive reports of blind and deaf persons.	
Introduced, referred	466
Sifting committee	963
285 By Elthon and McArthur. Licensing buttermakers, practice, penalty.	
Introduced, referred	466
Recommend indefinite postponement	956
Sifting committee	963
286 By Calhoun. Road poll tax.	
Introduced, referred	466
Report without recommendation	737
Sifting committee	960

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287 By Public Schools Committee. Teaching principal of American government in public schools.	
Introduced, placed on calendar.	476
Sifting committee	963
288 By Departmental Affairs Committee. Creating board of engineering examiners, land survey.	
Introduced, placed on calendar.	476
Passed; ayes 40, nays none.	861
290 By Cities and Towns Committee. Legalizing swimming pool bonds, proceedings council of Grundy Center, Iowa.	
Introduced, placed on calendar.	481
Made special order	587
Passed; ayes 43, nays none.	602
Received back	840
Reported enrolled	804
Signed by President	804
Sent to Governor	804
Signed by Governor	858
290. By Cities and Towns Committee. River improvement commission, fund, tax rate.	
Introduced, placed on calendar.	481
Passed; ayes 43, nays none.	602
Received back	480
Reported enrolled	893
Signed by President	893
Sent to Governor	893
Signed by Governor	912
291 By Judiciary No. 1. Committee. Trust funds, investment by fiduciaries.	
Introduced, placed on calendar.	530
Passed; ayes 35, nays 1.	608
Received back	1393
Reported enrolled	1503
Signed by President	1503
Sent to Governor	1503
Signed by Governor.	
292 By Judiciary No. 1 Committee. Exempt real and personal property of persons under guardianship, waiver of exemption by guardian to execute sale or mortgage.	
Introduced, placed on calendar.	530
Passed; ayes 33, nays none.	610
Received back	1393
Reported enrolled	1503
Signed by President	1503
Sent to Governor	1503
Signed by Governor.	
293 By Judiciary No. 1 Committee. Mortgaging real estate by fiduciary, purchase of stock or bonds in federal securities by such fiduciary.	
Introduced, placed on calendar.	531
Passed; ayes 38, nays none.	609
Received back	1393
Reported enrolled	1503
Signed by President	1503
Sent to Governor	1503
Signed by Governor.	
294 By Mines and Mining Committee. Abandoned mines, filling, sealing, approval in inspector, breaking, penalty.	

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Introduced, placed on calendar.	531	301 By Drainage Committee.	
Amendment filed	845	Issuance of bonds of districts, fixing payment, new bond issue.	
Amended	845	Introduced, placed on calendar.	587
Passed; ayes 31, nays none.....	846	H. F. 312 substituted.....	822
Received back	1202	Withdrawn	854
Reported enrolled	1260		
Signed by President	1260	302 By Motor Vehicle Committee.	
Sent to Governor.....	1260	State trucking bill, regulation, supervision under railroad commissioners, permits, collection of tax, care of highways.	
Signed by Governor.		Introduced, placed on calendar.	590
295 By Cities and Towns Committee. Service trades, ordinances for fair competition.		Made special order.....	675
Introduced, placed on calendar.	547	Amendments filed917, 918, 919	
Sifting committee	963	Amended	917, 919
296 By Cities and Towns Committee. Prohibiting railroads from changing location any shop or terminal without consent of commissioners.		Amendments filed	920
Introduced, placed on calendar.	547	Amended	927
Sifting committee	963	Amendments filed	931
297 By Judiciary No. 1 Committee. Abandoning drainage and levy districts, appeal, expense, refund of balance.		Amended	931, 932
Introduced, placed on calendar.	558	Failed	933
Referred	611	Referred	1328
Recommend passage	789	303 By Claims Committee. Appropriation for Craig Miller.	
Amended	849	Introduced, referred	605
Passed; ayes 28, nays none.....	850	Recommend passage	642
Received back	1393	Passed; ayes 42, nays 1.....	863
Reported enrolled	1393	Received back	1149
Signed by President.....	1503	Reported enrolled	1209
Sent to Governor.....	1503	Signed by President.....	1209
Signed by Governor.		Sent to Governor.....	1209
298 By Judiciary No. 1 Committee. Mortgaging exempt property of decedent (homestead) to refinance liens, pay debts.		Signed by Governor.....	1379
Introduced, referred	558	304 By Claims Committee. Appropriation for Ralph Hall.	
Passed; ayes 38, nays 1.....	611	Introduced, referred	605
Received back	1393	Recommend passage	642
Reported enrolled	1393	Passed; ayes 42, nays 1.....	863
Signed by President.....	1503	Received back	1149
Sent to Governor.....	1503	Reported enrolled	1209
Signed by Governor.		Signed by President.....	1209
299 By Judiciary No. 1 Committee. Partition real estate, title, foreclosure of mortgages, liens, priority, state made party.		Sent to Governor.....	1209
Introduced, placed on calendar.	563	Signed by Governor.....	1379
Passed; ayes 38, nays none....	607	305 By Claims Committee. Appropriation for Robert Hall, Anderson Auto Exchange and Roy Veldhuisen.	
Received back	1393	Introduced, referred	605
Reported enrolled	1503	Recommend passage	642
Signed by President.....	1503	Passed; ayes 36, nays 1.....	864
Sent to Governor.....	1503	Received back	1149
Signed by Governor.		Reported enrolled	1209
300 Mines and Mining Committee. Workmen's compensation, exemption of persons injured in mines; requiring insurance covering compensation payments for relief.		Signed by President.....	1209
Introduced, placed on calendar.	578	Sent to Governor.....	1209
Passed; ayes 40, nays none.....	897	Signed by Governor.....	1379
Received back	1202	307 By Claims Committee. Appropriation for E. A. Summerville.	
Reported enrolled	1260	Introduced, referred	605
Signed by President.....	1260	Recommend passage	642
Sent to Governor.....	1260	Passed; ayes 37, nays 1.....	866
Signed by Governor.		Received back	1149
		Reported enrolled	1209
		Sent to Governor.....	1209
		Signed by Governor.....	1379

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308. By Claims Committee. Appropriation for James Knox.	
Introduced, referred	605
Recommend passage	643
Passed; ayes 38, nays 1	867
Received back	1150
Reported enrolled	1209
Signed by President	1209
Sent to Governor	1209
Signed by Governor	1379
310 By Claims Committee. Appropriation for Ethel Connor Carlson.	
Introduced, referred	606
Recommend passage	643
Passed; ayes 34, nays 9	867
Received back	1150
Reported enrolled	1209
Sent to Governor	1209
Signed by Governor	1379
311 By Claims Committee. Appropriation for H. J. Goerner.	
Introduced, referred	606
Recommend passage	643
Passed; ayes 42, nays none	868
Received back	1150
Reported enrolled	1209
Sent to Governor	1209
Signed by Governor	1379
312. By Claims Committee. Appropriation for J. T. Davenport.	
Introduced, referred	606
Recommend passage	643
Passed; ayes 40, nays 1	869
Received back	1150
Reported enrolled	1209
Signed by President	1209
Sent to Governor	1209
Signed by Governor	1379
313. By Claims Committee. Appropriation for W. B. King.	
Introduced, referred	606
Recommend passage	643
Passed; ayes 38, nays 5	870
Received back	1150
Reported enrolled	1209
Signed by President	1209
Sent to Governor	1209
Signed by Governor	1209
314 By Claims Committee. Appropriation for Muscatine County, Iowa.	
Introduced, referred	606
Recommend passage	643
Passed; ayes 41, nays none	870
Received back	1150
Reported enrolled	1209
Signed by President	1209
Sent to Governor	1209
Signed by Governor	1379
315 By Claims Committee. Appropriation to Herman Jordan and Will Ager.	
Introduced, referred	606
Recommend passage	643
Passed; ayes 41, nays none	870
Received back	1150
Reported enrolled	1209
Signed by President	1209
Sent to Governor	1209
Signed by Governor	1379

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316. By Claims Committee. Appropriation for Doris Sovereign and W. H. Bongartz.	
Introduced, referred	606
Recommend passage	644
Passed; ayes 36, nays 1	872
Received back	1150
Reported enrolled	1209
Signed by President	1209
Sent to Governor	1209
Signed by Governor	1379
317 By Claims Committee. Appropriation for Charles Hazen, J. F. Hollingsworth, O. P. M. Criley, the Sunshine Store.	
Introduced, referred	606
Recommend passage	644
Passed; ayes 38, nays 1	872
Received back	1150
Reported enrolled	1209
Signed by President	1209
Sent to Governor	1209
Signed by Governor	1379
318 By Claims Committee. Appropriation for John F. Fischer.	
Introduced, referred	607
Recommend passage	644
Passed; ayes 42, nays 3	873
Received back	1150
Reported enrolled	1209
Signed by President	1209
Sent to Governor	1209
Signed by Governor	1379
319 By Claims Committee. Appropriation for A. C. Green and Hans Boeck.	
Introduced, referred	607
Recommend passage	644
Passed; ayes 42, nays 1	874
Received back	1150
Reported enrolled	1209
Signed by President	1209
Sent to Governor	1209
Signed by Governor	1379
320 By Judiciary No. 2 Committee. Beer state permit board, manufacture, sale and distribution, misbranded beer.	
Introduced, placed on calendar	607
Action deferred	907
Action deferred	938
Made special order	938
Amendment filed	826
Substitute amendment filed	988-991
Amended	991
Amendment filed	992
Amended	992-997
Amendment filed	989
Amended	998-1000
Title amended	1000
Passed; ayes 47, nays 3	1001
Received back	1150
Amendments rejected	1171
Received back	1202
Conference committee appointed	1202
Conference report received	1329
Conference report adopted	1380
Received back	1390
Second conference committee appointed	1392
Second and supplemental conference report received	1401-1498

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Second and supplemental conference report rejected.....	1500
Third conference committee appointed	1508
Third conference committee report adopted	1505
Passed; conference report adopted; ayes 37, nays 5.....	1512
Received back	1514
Reported enrolled	1515
Signed by President.....	1515
Sent to Governor.....	1515
Signed by Governor.	
321 By Cities and Towns Committee. Iowa police radio system, appropriation.	
Introduced, referred	617
Recommend passage	644
Amendment filed	966
Amended	967
Passed; ayes 46, nays none.....	966
Received back	1381
Report enrolled	1485
Sent to Governor.....	1485
Signed by Governor.	
322 By Livestock and Dairy Committee. Milk market board, defining, powers, duties, milk control.	
Introduced	617
Referred	618
Recommend passage	956
Sifting committee	963
323 By Claims Committee. Appropriation to John H. Mitchell and Garritt E. Roelofs.	
Introduced, referred	624
Recommend passage	645
Passed; ayes 40, nays none.....	874
Received back	1150
Reported enrolled	1209
Signed by President.....	1209
Sent to Governor.....	1209
Signed by Governor.....	1379
324 By State Planning Committee. Creating state board, powers, duties.	
Introduced, placed on calendar.	631
Sifting committee	958
Report, placed on calendar.....	1002
Passed; ayes 30, nays 4.....	1280
325 By Departmental Affairs Committee. Old age assistance, payment of levy prior to July 1.	
Introduced, placed on calendar.	631
Sifting committee	1002
Report, placed on calendar.....	1002
Sifting committee	1328
326. By Departmental Affairs Committee. Stocks sold on installment plan, transfer of duties under.	
Introduced, placed on calendar.	631
Sifting committee	963
327 By Departmental Affairs Committee. Land office, surveys, duties, transfer.	
Introduced, placed on calendar.	632
Passed; ayes 38, nays none.....	860
328 By Emergency Legislation Committee. Judgment, general execution, levy, prior March 1, 1937.	
Introduced, placed on calendar.	632
Sifting committee	963

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329 By Aeronautics Committee. Powers of commission, obstructions near airports.	
Introduced, placed on calendar.	632
Passed; ayes 28, nays none.....	847
Referred	1142
Report, placed on calendar.....	1244
Received back	1052
Reported enrolled	1114
Sent to Governor.....	1114
Signed by Governor.....	1172
330 By County and Township Affairs Committee. Rate of taxation, computation.	
Introduced, placed on calendar.	632
Sifting committee	958
331 By Emergency Legislation Committee. Bonds securing real estate mortgages, suits covering.	
Introduced, placed on calendar..	674
Made special order.....	675
Passed; ayes 26, nays 23.....	740
332 By Conservation Committee. Declaring certain acts nuisances.	
Introduced, placed on calendar..	647
Sifting committee	963
333 By Highways Committee. Motor vehicle road account, license fees.	
Introduced, placed on calendar.	647
Sifting committee	963
Recommend placed on calendar.	1325
Sifting committee	1328
334 By Highways Committee. Secondary roads, highway commission to make examination as to all railroad crossings over, report, recommend protection.	
Introduced, placed on calendar.	647
Recommend placed on calendar.	1325
Sifting committee	1328
335 By Highways Committee. Primary road assessment re-funds, terminating same.	
Introduced, placed on calendar.	648
Sifting committee	963
Recommend placed on calendar.	1188
Passed; ayes 35, nays none.....	1284
Received back	1484
Reported enrolled	1503
Signed by President.....	1503
Sent to Governor.....	1503
Signed by Governor.	
336 By Pharmacy Committee. Narcotic drugs, sale, distribution, defining.	
Introduced, placed on calendar.	669
Sifting committee	963
337 By Agriculture Committee. Iowa state dairy association, 4-H dairy calf club exposition.	
Introduced, referred	719
338 By Cities and Towns Committee. State board of contractors, defining powers, duties.	
Introduced, placed on calendar.	743
Sifting committee	963

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339 By Cities and Towns Committee. Improving streets and highways, provide election, issue bonds.	
Introduced, placed on calendar.	742
Sifting committee	963
340 By Cities and Towns Committee. Legalizing publication tax list certain years at Davenport, Iowa.	
Introduced, placed on calendar.	744
Passed; ayes 31, nays none....	839
Received back	1150
Reported enrolled	1209
Signed by President.....	1209
Sent to Governor.....	1209
Signed by Governor.....	1379
341 By Cities and Towns Committee. Compressed gas systems, installation, powers.	
Introduced, referred	744
Sifting committee	963
Withdrawn	1284
342 By Insurance Committee. Insurance corporations, bonds for officers, valuation of policies, setting up reserve.	
Introduced, placed on calendar.	757
Sifting committee	963
343 By Judiciary No. 1 Committee. Legalizing corporate status of Lone Rock Telephone Company, Mason City.	
Introduced, placed on calendar..	769
Passed; ayes 38, nays none....	897
Received back	1227
Reported enrolled	1260
Signed by President.....	1260
Sent to Governor.....	1260
Signed by Governor.	
344 By Judiciary No. 1 Committee. Civil actions, notice, appearance, default.	
Introduced, placed on calendar.	770
Sifting committee	963
345 By Judiciary No. 1 Committee. Pleading, time of filing, duties of courts.	
Introduced, placed on calendar.	770
Sifting committee	963
346 By Judiciary Committee No. 1. "Code of Iowa, 1931" and supplements permanent laws.	
Introduced, placed on calendar.	770
Sifting committee	963
347 By Emergency Legislation Committee. Delinquent taxes, installment payments.	
Introduced, placed on calendar.	770
Sifting committee	958
348 By Emergency Legislation Committee. Delinquent taxes, adjustment and payment.	
Introduced, placed on calendar.	771
Action deferred	949
Amendment filed	1027
Failed	1027
349 By Emergency Legislation Committee. Delinquent taxes, tax sale, redemption.	
Introduced, placed on calendar.	771
Sifting committee	963

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350 By Judiciary No. 1 Committee. Primary road re-funding bonds, proceeds, interest on, trustee.	
Introduced, placed on calendar.	771
Sifting committee	963
351 By Judiciary No. 1 Committee. Driver's and chauffeur's licenses, conviction for intoxication, suspension.	
Introduced, placed on calendar.	771
Sifting committee	963
352 By Emergency Legislation Committee. Mortgage foreclosure, exemption where executed and insured under national housing act.	
Introduced, placed on calendar.	772
Sifting committee	963
353 By Drainage Committee. Drainage improvement re-funding bonds, issuance by county boards, installments, payments.	
Introduced, placed on calendar.	786
Sifting committee	963
355 By Departmental Affairs Committee. Transportation of explosives over highways.	
Introduced, placed on calendar.	786
Sifting committee	963
356 By Departmental Affairs Committee. Explosives, manufacture, keeping, storage, sale.	
Introduced, placed on calendar.	787
Sifting committee	963
357 By Departmental Affairs Committee. Old age assistance, protection, welfare, levy for support, recovery under life insurance.	
Introduced, placed on calendar.	787
Sifting committee	963
Report, placed on calendar....	1002
Amendments filed	1056
Amended	1056-1058
Passed; ayes 45, nays 1.....	1059
Received back	1240
Concurrence	1246
Passed with concurrence; ayes	
33, nays none.....	1246
Reported enrolled	1319
Signed by President.....	1320
Sent to Governor.....	1320
Signed by Governor.	
358 By Judiciary No. 1 Committee. Delinquent or unpaid taxes, collection by insurance commissioner.	
Introduced, placed on calendar.	787
Sifting committee	963
359 By County and Township Affairs Committee. Tax sales.	
Introduced, placed on calendar.	792
Passed; ayes 26, nays none....	852
Received back	1202
Reported enrolled	1260
Signed by President.....	1260
Sent to Governor.....	1260
Signed by Governor.	

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360 By Conservation Committee. Conservation areas, commission to acquire, lease, disposition of income.		367 By Claims Committee. Appropriation for J. M. Cree.	
Introduced, placed on calendar.	824	Introduced, referred	888
Sifting committee	963	Recommend passage	927
Recommend placed on calendar.	1325	Passed; ayes 42, nays none	995
Referred	1380	Received back	1202
Withdrawn, placed on calendar.	1479	Reported enrolled	1260
Amendment filed	1479	Signed by President	1260
Amended	1480	Sent to Governor	1260
Passed; ayes 37, nays none	1480	Signed by Governor.	
Received back	1484	368 By Appropriation Committee. State office building, direction executive council.	
Reported enrolled	1503	Introduced, placed on calendar.	909
Signed by President	1503	Referred	1031
Sent to Governor	1503	369 By Appropriation committee. Appropriation for board of control for buildings at Anamosa.	
Signed by Governor.		Introduced, placed on calendar.	904
361 By Federal Coordination Committee. Creating department of public welfare.		H. F. 472 substituted	1222
Introduced, placed on calendar.	837	370 By Appropriation Committee. Appropriation Army rental allowance.	
Sifting committee	963	Introduced, placed on calendar.	904
Recommend placed on calendar.	1325	Passed; ayes 42, nays none	1224
Sifting committee	1328	Received back	1484
362 By Federal Coordination Committee. Banks and trust companies as fiduciaries, cooperate with FIDC; dividends, surplus.		Reported enrolled	1503
Introduced, placed on calendar.	836	Signed by President	1503
Sifting committee	963	Sent to Governor	1505
363 By Federal Coordination Committee. State and national codes fair competition, industrial recovery aid, executive council, powers and duties.		Signed by Governor.	
Introduced, placed on calendar.	838	371 By Appropriation Committee. Appropriation for summer vocational school adult blind.	
Sifting committee	963	Introduced, placed on calendar.	914
364. By County and Township Affairs Committee. Legalizing actions of boards of supervisors of Grundy county, transfer of funds.		H. F. 502 substituted	1231
Introduced, placed on calendar.	838	372 By Appropriation Committee. For judges district courts of Iowa.	
Amendment filed	965	Introduced, placed on calendar.	914
Amended	965	Amended	1116
Passed; ayes 42, nays none	966	Passed; ayes 41, nays none	1117
Received back	1227	Received back	1151
Reported enrolled	1260	Reported enrolled	1209
Signed by President	1260	Signed by President	1209
Sent to Governor	1260	Sent to Governor	1209
Signed by Governor.		Signed by Governor	1379
365 By Emergency Legislation Committee. Taxation of mortgages when recorded.		373 By Appropriation committee. Appropriation for publishing history of G.A.R.	
Introduced, placed on calendar.	876	Introduced, placed on calendar.	928
Sifting committee	963	Passed; ayes 39, nays 2	1336
Withdrawn, placed on calendar.	1326	Received back	1430
Amendments filed	1340	Reported enrolled	1503
Passed; ayes 38, nays none	1341	Signed by President	1503
366 By Claims Committee. Making appropriation for J. M. Vernon, Robert Scantlebury and Miles Baier.		Sent to Governor	1503
Introduced, referred	888	Signed by Governor.	
Recommend passage	926	374 By Claims Committee. Appropriation H. L. Heller, M. V. Harmon, L. C. Syfert, William Cutter, Carl Weeks, Walter Kisers, Joe Michel, E. E. Peterson, Ed Kennedy, Carl R. Ryder, Elsie Maden, Mrs. J. H. Kelly, H. M. Kelly.	
Passed; ayes 42, nays none	995	Introduced, referred	928
Received back	1202	Recommend passage	981
Reported enrolled	1260	Passed; ayes 43, nays none	996
Signed by President	1260	Received back	1202
Sent to Governor	1260	Reported enrolled	1260
Signed by Governor.		Signed by President	1260
		Sent to Governor	1260
		Signed by Governor.	

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375 By Claims Committee. Appropriation H. W. Hanson as guardian of Cleo D. Allen.	
Introduced, referred	937
Recommend passage	976
Amended	1042
Passed; ayes 37, nays 1	1043
Title amended	1043
Received back	1381
Reported enrolled	1485
Sent to Governor	1485
Signed by Governor.	
376 By Highways Committee. Compensation of members of the state highway commission.	
Introduced, placed on calendar.	937
Sifting committee	958
377 By Emergency Legislation Committee. Foreclosure of real estate mortgages, rights and liabilities of parties.	
Introduced, placed on calendar.	937
Sifting committee	963
Withdrawn	967
378 By Cities and Towns Committee. Construction storm sewer, condemnation for, levy tax, issue bonds.	
Introduced, placed on calendar.	951
Passed; ayes 41, nays none	963
Receiver back	994
Reported enrolled	1051
Signed by President	1052
Sent to Governor	1052
Signed by Governor	1103
379 By Cities and Towns Committee. Legalizing expenditures city of Davenport, account airport.	
Introduced, placed on calendar.	951
Sifting committee	963
Recommend placed on calendar.	1256
Passed; ayes 43, nays none	1320
Received back	1393
Reported enrolled	1503
Signed by President	1503
Sent to Governor	1503
Signed by Governor.	
380 By Cities and Towns Committee. Legalizing acts and proceedings Davenport Auto Truck Company.	
Introduced, placed on calendar.	951
Sifting committee	958
Recommend placed on calendar.	1145
Passed; ayes 39, nays none	1261
Received back	1393
Reported enrolled	1503
Sent to Governor	1503
Signed by Governor.	
381 By Cities and Towns Committee. Criminal bail bonds, sureties, professional bondsmen.	
Introduced, placed on calendar.	951
Sifting committee	963
382 By Elections and Contest Committee. Nominating delegates to county conventions.	
Introduced, sifting committee.	960
383 By Highways Committee. Tractors, tractor engines operated over bituminous road surfaces.	
Introduced, referred	985

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384 By Fish and Game Committee. Fish, game, statutory terms definition.	
Introduced, referred	985
385 By Appropriation Committee. Appropriation Polk County, Iowa.	
Introduced, placed on calendar.	994
Passed; ayes 41, nays none	1321
Received back	1484
Reported enrolled	1503
Signed by President	1503
Sent to Governor	1503
Signed by Governor.	
386 By Appropriations Committee. Appropriation to T. E. Diamond, Henry Schull, James F. Toy, Leone Webster and Frank Walrath.	
Introduced, placed on calendar.	1021
Amendment filed	1336
Amended	1336
Passed; ayes 39, nays 2	1338
Received back	1484
Reported enrolled	1503
Signed by President	1503
Sent to Governor	1503
Signed by Governor.	
387 By Emergency Legislation Committee. Public deposits.	
Introduced, referred	1040
Recommend placed on calendar.	1145
H. F. 506 substituted	1280
Withdrawn	1281
388 By Claims Committee. Appropriation for Maude Emerson Barnhart, William A. Emerson, administrator, Ray Lowery, Fred Spatz, Harry Lund, R. M. Maples, Earl Connell, Ivan A. Connell, Orville Connell, Rollin Connell, Ross Connell, Mrs. J. W. Kinney, J. W. Daniels, H. F. Carr and Major Elton L. Titus.	
Introduced, referred	1041
Recommend passage	1212
Passed; ayes 40, nays none	1299
Received back	1381
Reported enrolled	1381
Signed by President	1485
Sent to Governor	1485
Signed by Governor.	
389 By Appropriation Committee. Appropriation for Iowa national guard for erection garage and machine shop destroyed by fire.	
Introduced, placed on calendar.	1041
Amended	1338
Passed; ayes 38, nays none	1338
Received back	1485
Reported enrolled	1503
Signed by President	1503
Sent to Governor	1503
Signed by Governor.	
390 By Appropriations Committee. Appropriating \$60,000 annually to bureau of labor.	
Introduced, placed on calendar.	1041
Withdrawn	1339
391 By Compensation of Public Officers Committee. Assistant county attorneys, compensation.	
Introduced, referred	1056

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Recommend placed on calendar.	1145
Passed; ayes 44, nays 1	1174
Received back	1264
Reported enrolled	1320
Signed by President	1320
Sent to Governor	1320
Signed by Governor.	

392 By Judiciary No. 1 Committee. County pension boards, authority apply to courts requiring support indigent persons by relatives.	
Introduced, referred	1101
Recommend placed on calendar.	1256
Passed; ayes 36, nays none.	1282
Received back	1381
Reported enrolled	1485
Signed by President	1485
Sent to Governor	1485
Signed by Governor.	

393 By Federal Coordination Committee. Legalizing issuance of secondary road warrants in Audubon county, Iowa.	
Introduced, referred	1101
Recommend placed on calendar.	1256
Passed; ayes 37, nays none.	1259
Received back	1339
Reported enrolled	1384
Sent to Governor	1384
Signed by Governor.	

394 By Federal Coordination Committee. Prohibiting dividends by banks until required surplus established.	
Introduced, referred	1102
Recommend placed on calendar.	1145
Passed; ayes 32, nays 1.	1296
Received back	1381
Reported enrolled	1485
Signed by President	1485
Sent to Governor	1485
Signed by Governor.	

395 By Federal Coordination Committee. Iowa banks complying with FDIC requirements.	
Introduced, referred	1102
Recommend placed on calendar.	1145
Amendment filed	1296
Amended	1296
Passed; ayes 27, nays 4.	1297
Received back	1381
Reported enrolled	1485
Signed by President	1485
Sent to Governor	1485
Signed by Governor.	

396 By Federal Coordination Committee. Preferred stock included in calculation of minimum capital requirements.	
Introduced, referred	1103
Recommend placed on calendar.	1145
Amendment filed	1297
Amended	1297
Passed; ayes 31, nays 2.	1298
Received back	1381
Reported enrolled	1485
Signed by President	1485
Sent to Governor	1485
Signed by Governor.	

397 By Claims Committee. Appropriation for Simon Warner, L. C. Meaders, John	
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F. Fischer, Clarence A. Altemeyer, Harold Manders, Dorothy Manders, Faye Elizabeth Tollari, Julia E. Bell, James E. Bell, Andrew Florine, D. A. Luinig, Frank Comp.	

Introduced, referred	1135
Withdrawn, placed on calendar.	1257
Amendment filed	1299
Amended	1299
Passed; ayes 34, nays 1.	1300
Referred	1695
Withdrawn, placed on calendar.	1711
Received back	1381
Reported enrolled	1485
Signed by President	1485
Sent to Governor	1485
Signed by Governor.	

398 By Claims Committee. Appropriation to Homer Ashmore, Blanche Capps, Jones County, Iowa, Ray Murtoogh, Bernadine Mutskowski, Minnie Baars, Stella Kayser, Olga Gomez, Carrie Louise Baars, Esther Mason.	
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Introduced, referred	1136
Recommend passage	1212
Passed; ayes 40, nays 1.	1301
Received back	1381
Reported enrolled	1485
Signed by President.	1485
Sent to Governor.	1485
Signed by Governor.	

399 By Claims Committee. Appropriation for Leo E. Mooney, Everest Agency, F. W. Bearman, James Z. May, F. D. Hamilton, J. Q. Lauer, Mrs. Anna M. Herrman, G. R. Cooper, J. A. Murphy, E. E. Duer, H. H. Spayde Agency, Ray W. Miller Company, Stanley Hoynes, A. J. Keding Agency, H. C. Modlin Agency, Johnson Abstract Company, Snider, Welsh & Hynes, Murphy Insurance Company, George R. Feltus, Dougherty Insurance Agency, Dick Bell Insurance Agency, Helen C. Johnson, A. C. Klatt, Walter M. Spriggs, John S. Klaus, Gehrig Insurance Agency, Kern Insurance Agency, Reno Rosenthal, John F. Golden, B. L. Belt, Herman C. Miller, Frank Jewell, Slavia Realty Company, Ed. S. Lofton & Sons, John Tumelty, Hobbs Insurance Agency, Kretschmer Insurance Agency, J. W. Greenley, James P. Mulqueen, I. M. Lobenstein, P. J. Clancy & Sons Company, Walton Brothers, T. G. Janney & Son, C. D. Hutchins, E. J. Murtagh, J. A. Dougherty, William E. Schmich Insurance Agency, Dougherty Insurance Agency, J. P. Goble, Phil Holm, Wissler Insurance Agency, Willis & Moore, Inc., Ruhl & Ruhl, Webster-Hull Insurance Company, Hopkins & Mulock, Inc., Hopkins & Mulock, Inc., G. A. Holland & Co., C. I.	
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Snyder Co., Snider, Walsh & Hynes, Waterman & Lohmiller, C. W. Bittinger, Tyrrell Insurance Co., I. R. Myers Insurance Agency, Continental Mortgage Co., Goldsmith & Co., J. H. Lynch Insurance Agency, A. A. Luchow, F. C. Hendricks, Tom Kelley, Security Title & Investment Company, H. W. Peel & Son, Richardson & Brothers, F. P. Baer & Son, J. E. Hull, C. J. Graham & Company, Phoenix Insurance Agency, P. T. Vaughan, William J. Carter & Son, Peter G. Kern, Hoffman Insurance Agency, Don C. Cook Agency, J. M. Welch Agency, R. D. Gray & Company, Frank Jewell, Haines, Johnson & Baker, Brunn Insurance Agency, Ralph T. McElroy, Schlueter Insurance Agency, A. W. Hanson Agency, John F. Grete Co., John T. McCarthy, The A. C. Root Agency, Maeglin & Diercks, F. W. Eversmeyer, Fred M. Zeigler, J. W. Topping & Son, James E. Jamison, William F. Keil & Son, Scherfe Insurance Agency, Heltzman Land & Loan Company, Edward J. Lang.	
Introduced, referred	1137
Recommend passage	1212
Passed; ayes 34, nays 8	1303
Received back	1381
 400 By Claims Committee. Appropriation to Griffis Brothers Construction Company, Burch Construction Company, Booth and Oldson and H. Gus Osterman.	
Introduced, referred	1137
Withdrawn, placed on calendar	1257
Failed	1304
 401 By Claims Committee. Appropriation for Earl Wymore.	
Introduced, referred	1145
Recommend passage	1212
Passed; ayes 36, nays none	1304
Received back	1381
Reported enrolled	1485
Signed by President	1485
Sent to Governor	1485
Signed by Governor.	
 402 By Judiciary No. 1 Committee. Boundary Commission, powers and duties.	
Introduced, referred	1148
Recommend passage	1212
Referred	1342
Withdrawn, placed on calendar	1342
Passed; ayes 35, nays 1	1490
 403 By Judiciary No. 1 Committee. Creating boundary commission, powers, and duties.	
Introduced, referred	1148

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404 By Insurance Committee. Requiring deposition with commissioners by any foreign company seeking to re-insure business of any company located in state.	
Introduced, referred	1180
 405 By Ways and Means Committee. Iowa Emergency Relief Fund, levy for, collection.	
Introduced, referred	1191
Report without recommendation	1212
Passed; ayes 31, nays 15	1278
 406 By Ways and Means Committee. Appropriation for Iowa Emergency Relief Administration conservation work, July 1, 1935, December, 1936.	
Introduced, referred	1191
Report without recommendation	1212
Passed; ayes 36, nays 11	1276
Received back	1382
Concurrence rejected	1383
Conference Committee appointed.	1391
Conference committee report filed	1399
Conference committee report adopted	1487
Passed with conference committee report concurred in; ayes 34, nays none	1487
Received back	1512
Reported enrolled	1513
Signed by President	1512
Sent to Governor	1513
Signed by Governor.	
 407 By Appropriation Committee. Iowa Emergency Relief Administration, conservation, disbursement.	
Introduced, placed on calendar	1191
Passed; ayes 36, nays 2	1279
 408 By Appropriation Committee. Federal Works Program, appropriation, state institutions.	
Introduced, placed on calendar	1191
Withdrawn	1342
 409 By Federal Coordination Committee. Salaries deputy officials.	
Introduced, referred	1252
 410 By Federal Coordination Committee. Housing projects, acquiring, federal aid.	
Introduced, referred	1252
 411 By Banks and Banking Committee. Corporate seals.	
Introduced, referred	1252
 412 By Ways and Means Committee. State revenue, levy made by state board of assessment and review, amount.	
Introduced, placed on calendar	1501
Passed; ayes 32, nays none	1501

HISTORY OF HOUSE BILLS IN SENATE

HOUSE FILES AND JOINT RESOLUTIONS PASSED AND APPROVED

4, 5, 11, 17, 20, 24, 28, 36, 38, 39, 40, 46, 52, 54, 59, 63, 64, 67, 79, 80, 81, 84, 85, 93, 105, 106, 111, 112, 113, 114, 115, 116, 118, 119, 122, 123, 125, 132, 133, 135, 136, 137, 138, 146, 152, 167, 173, 174, 179, 186, 190, 203, 214, 232, 242, 248, 249, 250, 254, 266, 268, 270, 287, 307, 311, 312, 364, 379, 406, 438, 443, 454, 455, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 492, 493, 495, 496, 497, 500, 501, 502, 503, 504, 505, 506, 507, 516, 517.

H. J. R.—1 and 2.

Unsigned as yet, S. F. 222.

Passed both Houses, vetoed by Governor, H. F. 88, 141.

RECORD OF EACH HOUSE BILL

H. F.	Page	H. F.	Page
1 By Lookingbill. General execution for balance.		18 By McNie. Publishing notices of election.	
Received and referred.....	234	Received and referred.....	497, 501
Recommend passage	416	Sifting committee	958
Failed	729		
4 By Fuester. Minimum salary of teachers.		19 By Freeburn and Wiese. Radio receiving sets exempt from taxation.	
Received and referred.....	497, 501	Received and referred.....	159, 162
Recommend passage	741	Recommend indefinite postponement	292
Passed; ayes 47, nays 2.....	742		
Signed by President.....	804	20 Legalizing tax deeds issued by county treasurers.	
Sent to Governor.....	1070	Received and referred.....	159, 162
Signed by Governor.....	1113	Recommend amendment and passage	292
5 By Fuester. Repeal of poll tax.		Amended	333
Received and referred.....	553, 558	Passed; ayes 43, nays none.....	333
Recommend passage	829	Signed by President.....	346
Referred	958		
Sifting committee	958	24 By Flynn. License fees on pneumatic tired motor trucks.	
Recommend placed on calendar.....	1495	Received and referred.....	198, 199
Passed; ayes 37, nays 5.....	1495	Recommend passage	465
Signed by President.....	1503	Passed; ayes 26, nays none.....	849
11 By Metcalf and Jenkins. Millage levy for improvement funds.		Signed by President.....	939
Received and referred.....	173		
Recommend passage	223	27 By Alesch. Desecration of Sabbath Day.	
Passed; ayes 46, nays none.....	246	Received, referred	572, 573
Signed by President.....	324	Recommend passage	573
15 By Bufington, Johannes, Oehmke, McGill. Mortgage foreclosure, extension of time.		Sifting committee	958
Received and referred.....	876, 889		
Recommend indefinite postponement	934	28 By Goode. License Fees for hunting and fishing.	
Sifting committee	958	Received, referred	192, 193
16 By Bowers. Gambling devices.		Recommend amendment and passage	335
Received and referred.....	152, 158	Amended	428
Sifting committee	958	Passed; ayes 43, nays 1.....	429
17 By Elliott. Dance halls, regulation, licensing, definition.		Signed by President.....	482
Received and referred.....	193	30 By Bowers. Prohibiting possession of machine guns.	
Recommend passage	299	Received	497
Amendment filed	618	Referred	502
Passed; ayes 39, nays none.....	619	Recommend passage	766
Signed by President.....	960	Sifting committee	958
		31 By Bowers. Public hearings on school budgets.	
		Received, referred	173
		Sifting committee	958

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32 By Roe, Bonnstetter, Goode, Maniece, Sours, Doran. Salary reduction bill.	
Received, referred	428, 448
Sifting committee	958
36 By Moore of Harrison. Size of school districts, new districts, boundaries.	
Received and referred.....	216, 218
Recommend passage	230
Passed; ayes 48, nays none....	247
Signed by President.....	324
38 By Putnam. Warrants, unpaid for lack of funds, segregation of taxes for payment.	
Received and referred.....	216, 218
Recommend passage	393
Passed; ayes 33; nays none....	630
Signed by President.....	671
39 By Lookingbill and Cunningham. Legalizing Hawkeye Realty Company corporate acts.	
Received and referred.....	276
Recommend amendment and passage	568
Passed; ayes 40, nays none....	598
Signed by President.....	671
40 By Thies. Transfer of county funds.	
Received and referred.....	216, 218
Recommend passage	893
Signed by President.....	671
42 By Johannes. Prohibiting employment minors in beer parlors.	
Received and referred.....	633, 638
Recommend indefinite postponement	748
Report rejected, placed on calendar	792
Sifting committee	958
44 By Craven. Contesting election of county officers.	
Received, referred	553, 559
Recommend indefinite postponement	588
Report rejected, placed on calendar	633
Sifting committee	958
46 By Bonnstetter. Legalizing corporate acts Ledyard Cooperative Creamery Company extending corporation.	
Received and referred.....	216, 217
Recommend passage	292
Passed; ayes 40, nays none....	342
Signed by President.....	398
52 By Maniece. Ringsted Telephone Company, extending corporation.	
Received and referred.....	273, 276
Recommend passage	568
Passed; ayes 38, nays none....	598
Signed by President.....	671
54 By Laughlin. Public improvements, erect buildings, provide payment.	
Received and referred.....	216, 217
Recommend indefinite postponement	488
Report rejected, placed on calendar	575
Sifting committee	958

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54 By McFarlane. Appropriation State Teachers College, Cedar Falls.	
Received, referred	173
Recommend passage	186
Passed; ayes 43, nays 6.....	192
Signed by President.....	199
56 By Emergency Legislation Committee. Mortgage moratorium law.	
Received, placed on calendar.	138, 139
Made special order.....	139
Amended	145
Amendment filed	146-148
Amended	146, 147, 148, 149
Passed; ayes 49, nays 0.....	148, 149
Motion to take from table.....	167
Motion to reconsider vote....	167, 176
Motion to pass to third reading.	176
Sifting committee	958
57 By Burlington. Old age assistance investigators, oaths.	
Received, referred.....	776, 787
Sifting committee	958
Recommend placed on calendar.	1002
Passed; ayes 59, nays none....	1060
Signed by President.....	1192
59 By Burlington. Oaths of old age assistance investigators.	
Received, referred.....	776, 787, 958
Placed on calendar.....	1002
Passed; ayes 59, nays none....	1060
Signed by President.....	1192
60 By Ellsworth. Abandonment of railway stations without authority.	
Received, referred	573
Sifting committee	958
Recommend placed on calendar.	1145
Sifting committee	1328
63 By Zeigler. Registration of voters.	
Received, referred	554, 559
Recommend passage	588
Placed on calendar.....	624
Amendment filed	848
Amended	848
Passed; ayes 27, nays none....	848
Signed by President.....	960
64 By Elliott. Returning unclaimed special assessments.	
Received and referred.....	301, 308
Recommend passage	541
Passed; ayes 37, nays none....	814
Signed by President.....	912
65 By Mercer. Competitive bids required by boards of education for fire protection and insurance contracts.	
Received and referred.....	451, 466
Report, placed on calendar.....	501
Sifting committee	963
Amendment filed	1066
Amended	1066
Amendment filed	1065, 1066
Amended	1066
Failed	1066
66 By Johannes and McGill. Limitation of school tax in agricultural districts.	
Received and referred.....	633
Sifting committee	963
Recommend placed on calendar.	1256
Sifting committee	1328
67 Iowa State Highway Patrol, under secretary of state.	
Received and referred.....	511, 531
Sifting committee	958

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Recommend placed on calendar.....	1002
Amendment filed	1216
Amendment corrected	1216
Amended	1216-1219
Passed; ayes 44, nays none.....	1219
Title amended	1216
Signed by President.....	1272
79 By McFarlane. Bonds of city treasurers; expense.	
Received and referred.....	301, 308
Recommend passage	488
Made special order.....	633
Passed; ayes 35, nays none.....	755
Signed by President.....	859
80 By McFarlane and Cundy. Erecting monuments and memorials in public parks.	
Received and referred.....	198, 199
Amendment filed	248
Amended	248
Passed; ayes 45, nays none.....	248
Signed by President.....	262
81 By McFarlane and Cundy. Park commissioners, powers, duties.	
Received and referred.....	198, 199
Recommend passage	223
Passed; ayes 45, nays none.....	249
Signed by President.....	262
84 By Emergency Legislation Committee. Mortgage moratorium, extending time.	
Received and referred.....	166, 167
Passed; ayes 50, nays none.....	175
Signed by President.....	185
85 By Moore of Harrison, Foster, Bonnstetter, Baumhover. Received and referred.....	650, 669
Report without recommendation	732
Sifting committee	958
Recommend placed on calendar	981
Passed; ayes 44, nays none.....	1028
Signed by President.....	1224
88 By Teter, McKinnon, Zeigler, Hartman, Thompson, Cundy. Homestead exemption on taxation.	
Referred, referred	585, 591
Substituted for S. F. 53.....	771
Amendment filed	783
Signed by President.....	912
92 By Gallagher. Operation of motor vehicles by non-residents.	
Received and referred.....	554, 559
Recommend passage	1019
Passed; ayes 40, nays none.....	1030
Signed by President.....	1192
93 By Election contest committee. Appropriation for expense of Miller vs. Zeigler, election contest.	
Received, referred	554, 559
Recommend passage	1019
Passed; ayes 40, nays none.....	1030
Signed by President.....	1192
97 By Blue. Vending machines, weighing machines, mechanical devices.	
Received and referred.....	651, 670
Sifting committee	958
105 By Peaco. Salaries of county auditors.	
Received and referred.....	973, 974
Report, placed on calendar.....	1493
Withdrawn, placed on calendar.....	1493

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Passed; ayes 39, nays none.....	1494
Signed by President.....	1503
106 By Judiciary Committee. Legal rate of interest.	
Received and referred.....	227
Withdrawn, placed on calendar.....	475
Passed; ayes 41, nays 6.....	487
Signed by President.....	532
112 By Judiciary Committee. Printing card digest of current opinions supreme court.	
Received and referred.....	252
Passed; ayes 34, nays none.....	808
Signed by President.....	912
113. By Judiciary Committee. Regulation of bread.	
Received and referred.....	253
Recommend passage	293
Passed; ayes 38, nays none.....	345
Signed by President.....	398
114 By Judiciary Committee. Reports made by auditor of state.	
Received and referred.....	253
Recommend passage	293
Passed; ayes 37, nays none.....	347
Signed by President.....	398
115 By Judiciary Committee. State aid for certain school activities.	
Received and referred.....	251, 253
Recommend passage	336
Passed; ayes 28, nays 14.....	405
Signed by President.....	453
116 By Judiciary Committee. State sinking fund; obtaining funds from Reconstruction Finance Corporation.	
Received and referred.....	251, 253
Sifting committee	1002
Report placed on calendar.....	1002
Passed; ayes 39, nays none.....	1317
Signed by President.....	1398
117 By Judiciary Committee. Taxation, assessed and actual value.	
Received and referred.....	251, 253
Recommend indefinite postponement	505
Rereferred	582
Sifting committee	958
118 By Judiciary Committee. Adoption of children.	
Received and referred.....	252, 253
Recommend passage	406
Passed; ayes 37, nays none.....	622
Signed by President.....	671
119 By Judiciary Committee. Inurement of policies of insurance, on automobiles.	
Received and referred.....	252, 254
Recommend passage	488
Sifting committee	1002
Report placed on calendar.....	1002
Passed; ayes 42, nays none.....	1318
Signed by President.....	1398
120 By Emergency Legislation Committee. Personal deficiency judgment.	
Received, referred	234
Recommend passage	416
Sifting committee	958
122 By Cunningham of Humboldt. Joint ownership of city and town halls.	
Received and referred.....	634, 638
Recommend passage	828
Passed; ayes 42, nays none.....	904

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Signed by President.....	1114
123. By Cunningham of Humboldt. Location, construction joint ownership of township halls.	
Received and referred.....	638
Recommend passage.....	829
Sifting committee.....	958
Withdrawn, placed on calendar.....	1396
Passed; ayes 43, nays none.....	1396
Signed by President.....	1493
125 By Judiciary Committee. Deposit of public funds, liability of officers.	
Received and referred.....	252, 254
Recommend passage.....	337
Passed; ayes 45, nays none.....	474
Signed by President.....	532
132 By Putnam and Thies. Legalizing transfer of funds in Pottawattamie County.	
Received and referred.....	1148-1180
Recommend placed on calendar.....	1188
Passed; ayes 45, nays 1.....	1267
Signed by President.....	1325
133 By Mercer. Municipally owned public utilities, management.	
Received and referred.....	776, 787
Recommend passage.....	956
Referred.....	958
Recommend placed on calendar.....	1145
Passed; ayes 47, nays none.....	1264
Signed by President.....	1325
135 By Judiciary Committee. Filing shorthand reporter's transcript of trial as part of public record.	
Received and referred.....	301, 308
Recommend passage.....	526
Passed; ayes 32, nays none.....	809
Signed by President.....	912
136 By Judiciary Committee. Budget and financial control act, replacing loss of public funds.	
Received and referred.....	301, 308
Sifting committee.....	1002
Recommend placed on calendar.....	1002
Passed; ayes 39, nays none.....	1319
Signed by President.....	1398
137 By Judiciary Committee. Taxation of real and personal property, certification.	
Received and referred.....	308
Recommend passage.....	526
Passed; ayes 36, nays none.....	810
Signed by President.....	912
138 By Judiciary Committee. Budget and financial control act.	
Received and referred.....	428, 440
Recommend passage.....	767
Passed; ayes 36, nays none.....	811
Signed by President.....	938
141 Compensation of Public Officers Committee. Legalizing compensation paid as salaries to public officials.	
Received and referred.....	472, 477
Substitute for S.F. 108.....	584
Amendments filed.....	585
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